

**A FAILED  
FOREIGN POLICY**  
MAX BOOT • STEPHEN F. HAYES  
WILLIAM KRISTOL

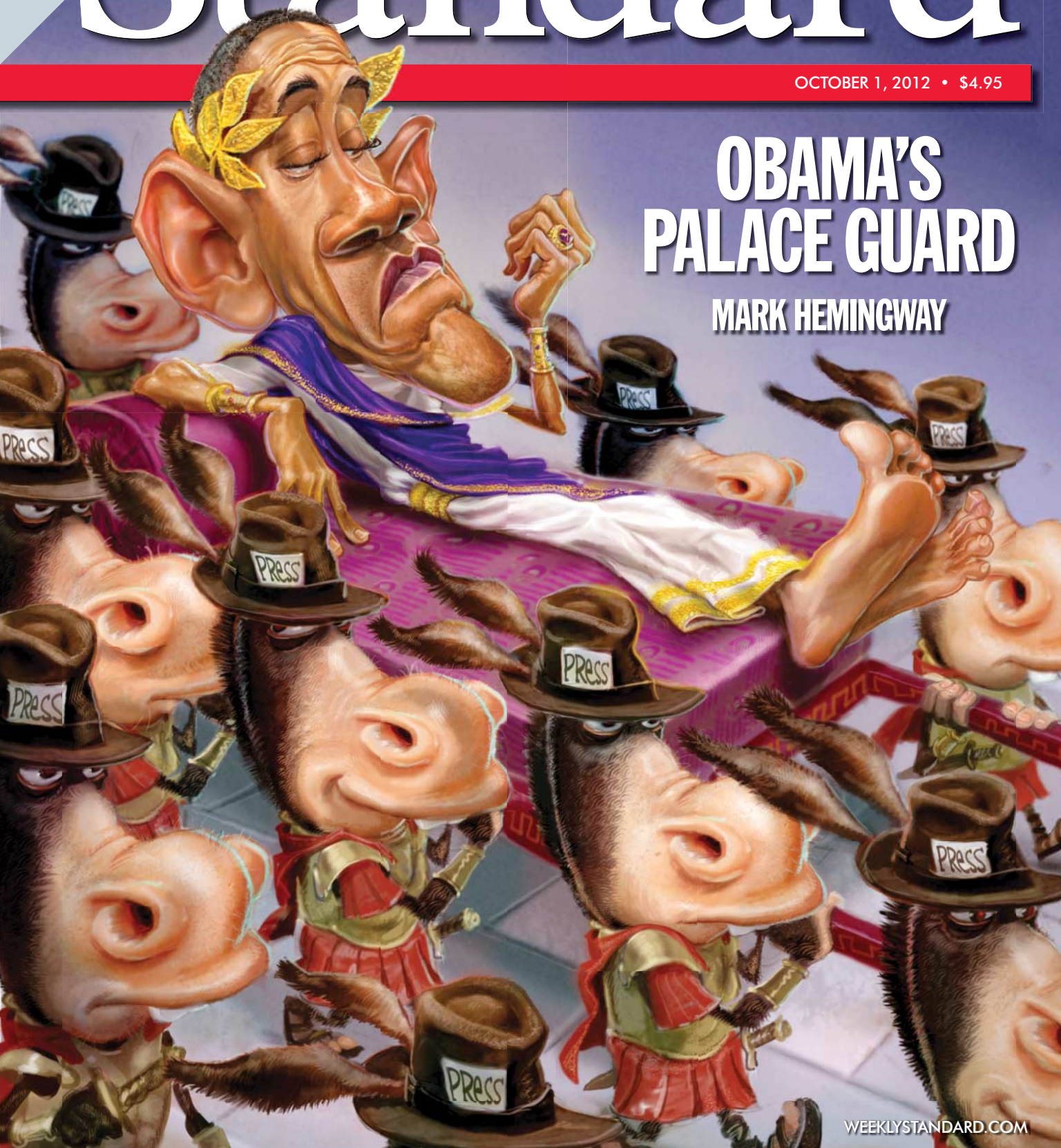
the weekly

# Standard

OCTOBER 1, 2012 • \$4.95

## OBAMA'S PALACE GUARD

MARK HEMINGWAY



# Contents

October 1, 2012 • Volume 18, Number 3



- 2 The Scrapbook *Bernanke bails out Obama, Dowd goes there & more*  
5 Casual *Christopher Caldwell, frustrated frequent flyer*  
7 Editorials  
*All the World Wonders*  
*The Obamacare Bowl*  
*Retreater in Chief*  
*Permanent Spin*

BY WILLIAM KRISTOL  
BY JEFFREY H. ANDERSON  
BY MAX BOOT  
BY STEPHEN F. HAYES

## Articles

- 13 A Rocky Start in the Rockies *Romney needs to win Colorado, but hasn't closed the deal* BY FRED BARNES  
14 What the Schneck? *A Catholic University scholar's data-free theory on Romney and abortion* BY JONATHAN V. LAST  
16 Power Grab *Our technocratic future* BY WESLEY J. SMITH  
17 The Right Way to Engage Burma *Insist on democratic reforms* BY ELLEN BORK  
19 Europe's Gift to Obama *The EU will muddle through until after the U.S. election* BY ROLAND POIRIER MARTINSSON  
20 It's Not Really a Farm Bill *It's a food stamp behemoth* BY KATE HAVARD  
22 Freedom Fighter *Peter Lougheed, 1928-2012* BY KELLY JANE TORRANCE

## Features

- 24 Obama's Palace Guard *How media fact checkers made themselves of service in the welfare reform debate* BY MARK HEMINGWAY  
30 Supremely Overdue *The High Court can finally put an end to racial preferences in university admissions* BY CARL COHEN

## Books & Arts

- 34 Wisdom of the Age *Words to live by—at the moment* BY JAMES BOWMAN  
36 Power in Play *How to get it, keep it, and take it away* BY DANIEL LEE  
37 Wars of Words *Dividing the world into prescriptivists and descriptivists* BY DAVID SKINNER  
40 Reason for Faith *The case for the peaceful coexistence of science and religion* BY JOSEPH BOTTUM  
41 Installed for Good *The improvisational art of Yayoi Kusama* BY JAMES GARDNER  
43 Einstein Bageled *The relatively cutthroat world of intellectual theft* BY JOE QUEENAN  
44 Parody *What do you recommend?*

COVER BY GARY LOCKE

# Bernanke Bails Out Obama

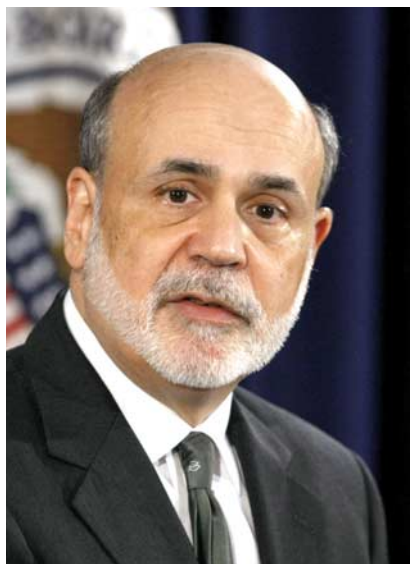
When Federal Reserve chairman Ben Bernanke rushed to the aid of President Obama with an act of raw partisanship called QE3, the media ignored the political implications of this latest plan to print massive amounts of new money to boost the stock market.

"Ben Bernanke has joined Chief Justice John Roberts as a Bush appointee working for the reelection of Barack Obama," Donald Luskin, the chief investment officer of Trend Macrolytics, said. Luskin was one of the few who understood what Bernanke was up to. The presidential election was eight weeks away, and the Fed boss had jumped in to boost Obama. Roberts had done the same as the swing vote in the Supreme Court's 5-4 decision upholding Obamacare.

Roberts may have acted for institutional reasons, seeking to protect the Court's reputation as nonpolitical. Bernanke doesn't have that excuse. Apart from the risk inherent in such aggressive monetary expansion when interest rates are already at record lows, Bernanke has hurt the Fed's reputation for being politically neutral. He could have waited until after the election to act. Instead, he will now be seen by many as the Arthur Burns of the 21st century. Burns as Fed chairman flooded the economy with money in 1972 to make sure Richard Nixon was reelected.

Like Burns, Bernanke was under pressure to help the president, es-

pecially from *New York Times* columnist Paul Krugman, his former Princeton colleague. "He doesn't like Krugman beating him up," a prominent investment adviser told THE SCRAPBOOK. "You have to hand it to Krugman's intimidation. It worked. But history books are going to beat [Bernanke] up."



*The Arthur Burns of the 21st century*

The decision to pump a massive amount of money into the economy, QE3, follows two earlier Fed actions to do the same. (QE stands for "quantitative easing.") Those actions inflated the stock market but failed to help the economy much or raise domestic demand appreciably. The economy has stagnated. The dollar has weak-

ened, losing 18 percent of its value against a basket of commodities in the 13 months after QE2 was announced in June 2010. Since Bernanke revealed his QE3 plans, the dollar has dropped 6 percent from its July high.

But that's not the worst of it. QE3 calls for buying \$40 billion in mortgage bonds monthly and to continue doing so until there's a significant drop in joblessness. Interest rates are to be kept near zero at least through 2015. The policy risks being as inflationary as the U.S. economy was in the 1970s, ushering in soaring prices in energy and other commodities. But the policy also could be deflationary. The massive money injections could lead to a series of bursting financial bubbles and a Japan-like scenario of economic lethargy. Bubbles burst when financial traders realize the economic fundamentals underlying the artificial bubble economy are weak. Markets crash and the impact on the real economy can be devastating.

Either way, the Fed's loss of its reputation for integrity—that is, staying out of politics—is real and alarming. Compared with the Fed, the European Central Bank, despite its bailouts, now looks to be the prudent, restrained institution. The euro is stronger against the dollar. And the Fed's trustworthiness, at least for the time being, is shot. That's what happens when an institution known for basing its decisions on economic factors alone lets politics intrude. ♦

## Dowd Goes There

THE SCRAPBOOK scrupulously avoids Nazi analogies, such invidious comparisons being, almost exclusively, the province of the left. As strongly as THE SCRAPBOOK may feel about this or that, there is no politician in America remotely like Adolf Hitler, no program or proposal to

compare with the Holocaust. And to suggest otherwise strikes THE SCRAPBOOK as not just absurd but outrageous—and insulting to the 6 million Jews killed in the Holocaust, the 60 million people who perished in World War II, not to mention the 416,837 Americans (including Republicans!) who died fighting the Axis.

That said, THE SCRAPBOOK was

more than a little disconcerted last week when reading a column by Maureen Dowd in the *New York Times*. Its ostensible subject was Rep. Paul Ryan, and he got the full Dowd treatment: schoolyard invective, adolescent name-calling, unspecified accusations, condescension, dismissiveness. But its thesis was that because the Republican vice presidential nominee

NEWS.COM

is a foreign affairs “neophyte”—unlike, say, the freshman senator elected president in 2008—he has been captured and held hostage by “neocons,” notably Dan Senor. (Senor, an occasional contributor to these pages, has had a long and distinguished career in foreign affairs, including a stint as spokesman for the Coalition Provisional Authority in Iraq.)

It is incontrovertibly true, as Dowd points out, that Senor has been advising Mitt Romney’s campaign on foreign policy (every presidential campaign has expert advisers), and it is equally true that, in the course of the campaign, he has consulted with Ryan. But it is Dowd’s language that caught THE SCRAPBOOK’s eye. The title of the column—“Neocons Slither Back”—invoked the unmistakable imagery of serpents in the garden; and her characterization of the Senor-Ryan relationship—“Ryan was moving his mouth, but the voice was the neocon puppet master Dan Senor”—is a timeless anti-Semitic trope.

This is not the first time that Maureen Dowd has drawn attention to the fact that a certain number of prominent American neoconservatives are Jewish; that neoconservatives, Jew and Gentile alike, tend to be strong supporters of Israel; or that some neoconservatives have exerted influence on recent U.S. foreign policy. Dan Senor is, to some degree, a neoconservative. Dan Senor is a Jew. Dan Senor is now advising Mitt Romney and Paul Ryan.

To most readers, these would be facts unworthy of comment: Paul Ryan has frequently expressed neoconservative sentiments on foreign policy, and it is no surprise that he would welcome the assistance of a prominent expert like Dan Senor. But what strikes THE SCRAPBOOK as the ordinary course of events in politics—just as Barack Obama has sympathetic advisers—strikes Dowd as repellent, deceptive, sinister. And to express her sense of disgust she conjures from the fever swamps certain images—slithering snakes and puppetmasters—with unhappy historic echoes.

It is difficult to imagine Dowd’s



predecessors at the *Times*—James Reston, Flora Lewis, C.L. Sulzberger, Tom Wicker—deploying such rhetoric, or depicting political differences in such personally insulting terms. But where have we encountered such rhetoric before? In fact, Dowd’s language is nearly indistinguishable from the sort of bombast that characterized not only fin-de-siècle European anti-Semitism, but routinely filled the pages of *Der Stürmer* and the *Völkischer Beobachter* and other Third Reich broadsheets: Jews, like serpents, invading paradise, or pulling strings from behind the scenes.

It is quite possible, of course, that Dowd, in her ignorance, is unaware of the resemblance between classic anti-Semitic journalism and her vi-

tuperative prose. In which case THE SCRAPBOOK would suggest that one of her editors remind her of the standards to which the *Times* used to aspire.

Or maybe not. Dowd has written, on more than one occasion, about the ethnic resentment she and her Irish-American family seem to have felt growing up in 1950s Washington, D.C. Perhaps, in the forward-looking pages of the *New York Times*, old habits die hard. ♦

## Fact Checking the Fact Checkers (cont.)

Over the last year or so, the argument has been made many times in these pages that media “fact checking” organizations are a discred-

it to the journalism profession. Further discrediting the journalism profession at this point is no easy thing to do, yet fact checkers seem more than equal to the task.

There are a lot of sophisticated ways to explain why media fact checkers are bad, but the simplest is just to tally up their rulings. A new study by the Center for Media and Public Affairs at George Mason University examined 98 statements rated by PolitiFact from June 1 to September 11. "A majority of the Obama campaign's statements (55 percent) were rated as true or mostly true, compared to one out of four statements (26 percent) by the Romney campaign," concludes the study. "The difference is even greater at the other end of the spectrum, where 26 percent of the

Romney campaign's statements were rated as either false or 'Pants on Fire,' compared to only 5 percent of the Obama campaign's statements."

This discrepancy is not because the Romney campaign is egregiously truth-challenged—which is no doubt what will be argued by Obama partisans and the mainstream media, but because the "fact checking" enterprise is more often than not partisan. If you read Mark Hemingway's "Obama's Palace Guard" on page 24 of this week's issue, you'll see that PolitiFact's two "Pants on Fire" ratings for the Romney campaign regarding welfare reform weren't just wrong; they demonstrated an adamant unwillingness to try to understand the issue at hand. Such examples can easily be multiplied.

Even if you buy into the notion that Romney is running an exceptionally dishonest campaign, this same partisan pattern appears for all Republicans. "PolitiFact rated Democratic statements as 'mostly true' or 'entirely true' about twice as often as Republican statements—42 percent true ratings for Democrats vs. 20 percent for Republicans. Conversely, statements by Republicans were rated as entirely false about twice as often as Democratic statements," according to the George Mason study. Well, this is at least progress. A University of Minnesota survey of PolitiFact rulings published in January 2011 found PolitiFact accused Republicans of having smoldering trousers three times more often than Democrats.

No, the evidence here is pretty conclusive: PolitiFact disproportionately targets Republicans and leaps to so many inept conclusions that their entire enterprise is little more than a baseless attack on the political views of half of America. Forget "Pants on Fire." THE SCRAPBOOK gives PolitiFact our most severe rating: "Flaming Dirigible." The credibility of mainstream American journalism has long been on the same trajectory as the Hindenburg. When it comes to evaluating "fact checkers," the only thing left to do is steer clear of the fiery wreckage. ♦

## GET YOURS TODAY— WHILE YOU STILL CAN!

Sure, you want to take out all your dismay and disgust on our soft, mushy Obama Stress Head—so don't wait!

Order today before Obama gets the boot and our stock is completely gone!



Still just  
**\$9.99** plus  
shipping &  
handling.

To order your  
**Obama Stress  
Head**, call  
**866-869-6389**  
or order  
online at  
**www.weeklystandardstore.com.**

## the weekly Standard

[www.weeklystandard.com](http://www.weeklystandard.com)

William Kristol, *Editor*

Fred Barnes, *Executive Editor*

Richard Starr, *Deputy Editor*

Claudia Anderson, *Managing Editor*

Christopher Caldwell, Andrew Ferguson,  
Victorino Matus, Lee Smith, *Senior Editors*

Philip Terzian, *Literary Editor*

Stephen F. Hayes, Mark Hemingway,  
Matt Labash, Jonathan V. Last, *Senior Writers*

Jay Cost, John McCormack, *Staff Writers*

Daniel Halper, *Online Editor*

Kelly Jane Torrance, *Assistant Managing Editor*

Julianne Dudley, *Assistant Editor*

Michael Warren, *Reporter*

Ethan Epstein,  
Kate Havard, Jim Swift,  
*Editorial Assistants*

Philip Chalk, *Design Director*

Barbara Kytte, *Design Assistant*

Carolyn Wimmer, *Executive Assistant*

Max Boot, Joseph Bottom,  
Tucker Carlson, Matthew Continetti,  
Noemie Emery, Joseph Epstein, David Frum,  
David Gelernter, Reuel Marc Gerecht,  
Michael Goldfarb, Mary Katharine Ham,  
Brit Hume, Frederick W. Kagan,  
Robert Kagan, Charles Krauthammer,  
Yuval Levin, Tod Lindberg,  
Robert Messenger, P.J. O'Rourke,  
John Podhoretz, Irwin M. Stelzer,  
*Contributing Editors*

Terry Eastland, *Publisher*

Nicholas H.B. Swezey, *Advertising Director*

Catherine Lowe, *Digital Business Director*

Jim Rossi, *Audience Development Director*

Richard Trocchia, *Fulfillment Manager*

T. Barry Davis, Todd A. Miller,  
*Senior Advertising Managers*

Kathy Schaffhauser, *Finance Director*

Taybor Morris, *Office Manager*

Andrew Kaumeier, *Advertising Operations Manager*

**Advertising inquiries:**  
**202-293-4900**

The Weekly Standard (ISSN 1083-3013), a division of Clarity Media Group, is published weekly (except the first week in January, third week in April, second week in July, and fourth week in August) at 1150 17th St., NW, Suite 505, Washington D.C. 20036. Periodicals postage paid at Washington, DC, and additional mailing offices. Postmaster: Send address changes to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. For subscription customer service in the United States, call 1-800-274-7293. For new subscription orders, please call 1-800-283-2014. Subscribers: Please send new subscription orders and changes of address to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. Please include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. Canadian/foreign orders require additional postage and must be paid in full prior to commencement of service. Canadian/foreign subscribers may call 1-386-597-4378 for subscription inquiries. American Express, Visa/MasterCard payments accepted. Cover price, \$4.95. Back issues, \$4.95 (includes postage and handling). Send letters to the editor to The Weekly Standard, 1150 17th Street, N.W., Suite 505, Washington, DC 20036-4617. For a copy of The Weekly Standard Privacy Policy, visit [www.weeklystandard.com](http://www.weeklystandard.com) or write to Customer Service, The Weekly Standard, 1150 17th St., NW, Suite 505, Washington, D.C. 20036. Copyright 2012, Clarity Media Group. All rights reserved. No material in The Weekly Standard may be reprinted without permission of the copyright owner. The Weekly Standard is a registered trademark of Clarity Media Group.



## Flight Risk

The Sunday before last, my plane was half an hour away from Budapest and a stewardess was bustling clumsily down the aisle. I was reading John Lukacs's *Budapest 1900*. Something in his description of the Austro-Hungarian Empire led me to be glad I was wearing a neat shirt and blazer. In some countries, people value spontaneity and casualness. In others, people appreciate an effort to look distinguished. I expected the Hungarians I was scheduled to meet at the airport would be of the latter type. By a strange coincidence, the stewardess chose just this moment to pour half a pitcher of black coffee down the front of my shirt.

She said she was sorry. Actually, being English, she said, "Sore-ray!" This was my cue to blurt out, "Not to worry!" or some such consolation. But her tone was so impenitent, so insincere, so indistinguishable from "Good morning!" or "Here's your drink!" that I could only stare dumbfounded at the puddle of coffee in my lap.

Once my absolution had been withheld for about two seconds, her tone changed. Now she was the wronged party, and addressed me in a tone of outrage. "Well, ore said sore-ray, din eye?"

"Oh, don't worry," I said. "It's fine."

It had better be fine. I have flown across the Atlantic a lot over the years, and something like this generally happens. I get the middle seat or the seat with the missing cushion, the seat in the middle of the traveling basketball team or the seat behind the squalling baby, the seat in back of the man with Tourette's syndrome (that was on a memorable flight to Rome in 2005) or the seat alongside the 60-year-old woman keen to

explain what the "Mile High Club" is (that unnerving experience came on the very first transatlantic flight I ever took, while still in my teens).

Accumulating such a long list of travel grievances should, in theory, be impossible. If you fly enough, and if you make a habit of giving airlines your frequent-flyer number, you should quickly amass enough fre-



quent-flyer miles to defect from the world of spilt coffee, importunate neighbors, and stewardesses who shake you awake at three o'clock in the morning to ask you if you want to buy anything from the duty-free cart. Miles allow you to find asylum in a comfortable, luxurious, and private part of the plane. People who fly half as much as I do quickly amass enough of them to do just that.

These frequent-flyer deals are also known as customer loyalty plans. That happens to be my problem. While I like to think of myself as a loyal friend, I am not a terribly loyal customer. I fly thousands of miles a year on several different airlines, not a hundred thousand miles a year on one. Occasionally a stiff, business-size envelope will arrive through my mail

slot at home, congratulating me for having "earned" (and they don't know the half of it) a Gold Elite Prime Plus Advantage Excellence World Executive Rewards Card, or some such thing. But whenever I try to use it to gain entry to a lounge or cut in a line, I always find it's one echelon below the level where the real benefits begin. ("Sorry, sir, the lounge is reserved for Senior Gold Elite Prime Plus Advantage Excellence World Executive Rewards members!") My level is kind of an honorific, a courtesy title.

Those who don't fly can avoid the jostling, the noise and aggressive retail, that is a modern airport; those who fly a lot can avoid it, too, because they can use the well-appointed lounge. In air travel as in tax policy, it is the in-between sorts who bear the brunt. We spend five-hour layovers in provincial airports wandering from the Starbucks to the croissant shop to the Relay or the W.H. Smith's, buying \$3.50 bottles of water and \$16.95 hamburgers and trying to find someplace other than a squalid corridor to plug in our laptops.

There are consolations, though, and even some signs of improvement. Sophisticated software programs once allowed the airlines to fill every single flight to the brim. But in this floundering economy, you cannot stuff a plane full of passengers if the passengers can't afford to buy tickets. Flights are, once again, becoming a good time to read, and not just because the alternatives, from naps to work, are impossible. And, as always, there comes that glorious moment when you emerge from the airport into the city you're traveling to—even if your shirt is soaked with coffee—and have the joy of climbing into a taxi, rolling down the window, sticking your head out, and, as you roll off, gulping down the delicious, rushing, unfamiliar fresh air as if you were a golden retriever.

CHRISTOPHER CALDWELL

# All the World Wonders

What happened initially was that it was a spontaneous reaction to what had just transpired in Cairo as a consequence of the video. People gathered outside the embassy and then it grew very violent. And those with extremist ties joined the fray and came with heavy weapons, which unfortunately are quite common in post-revolutionary Libya, and that then spun out of control.

—U.S. Ambassador to the United Nations Susan Rice  
Sunday, September 16

There was no spontaneous “fray” in Benghazi that “spun out of control.” The only thing spinning out of control last week was the Obama administration, frantically portraying the terrible events in the Middle East as anything but what they were. By late in the week the Obama narrative had been exposed as just that, a narrative, and the White House grudgingly had to abandon it.

They were sorry to do so. They were fond of their spin. The mainstream media reported the Obama administration’s shift as if it had gotten a few things wrong in the heat of a crisis, and then new information came to light. But that isn’t the case. The administration *wanted* to misrepresent what had happened. The administration *wanted* to sell the story that a wacky anti-Islam video made in America caused the violence in Cairo and Benghazi and dozens of other cities.

That story line absolved the Obama administration of any responsibility for what had happened. It also went a long way toward absolving bad actors in the Muslim world of blame. There have been indications over the last four years that, in its heart of hearts, the Obama administration blames America first for many of the ills of the world. On this occasion, the administration stopped hinting and came clean. It explicitly, even eagerly, blamed America.

Meanwhile, in the real world, things are falling apart. We are paying the price of American weakness. Enemies of the United States everywhere are emboldened. The Iranian regime dashes for nuclear weapons, sponsors terror, aids Assad in Syria, and seeks to facilitate the killing of American troops where it can. Anti-American factions in countries from Pakistan to Iraq to Egypt step forward with renewed

confidence. In Afghanistan, the Taliban are back on offense now that Obama has precipitously undone the surge and seems to be heading for the exits. Russia scoffs at us, China ignores us and throws its weight around. As all the world wonders, Obama does nothing.

Actually, he does some things: He cuts our defense budget. He undercuts Israel. And he takes credit for the fact that, as he said at the Democratic convention of Afghanistan, “in 2014, our longest war will be over.”

Obama doesn’t even pretend to claim that war will end victoriously or even successfully. It was President Obama who less than three years ago ordered tens of thousands more troops into that country. Those troops fought bravely and died nobly—but Obama can’t bother to feign much interest in the outcome of the cause for which they fought.

President Obama likes to say “the tide of war is receding.” But war isn’t a tide, and in any case it’s not receding. We’re retreating, and our influence is receding—and this makes war, and chaos, and terror, more

likely, not less. It is the tide of American power that’s been receding under President Obama.

In his remarks on September 11, Obama paid tribute to members of the 9/11 generation who have worn the uniform in Iraq and Afghanistan. But about the goals they sacrificed for? Nothing. Here’s what their commander in chief had to say on September 11: “Today, the war in Iraq is over. In Afghanistan, we’re training Afghan security forces and forging a partnership with the Afghan people. And by the end of 2014, the longest war in our history will be over.”

The training and partnering now appear to be little more than bloody fig leaves. One war is over, and the other will be over—that’s Obama’s message. Obama used to pretend that the end of the wars would be accompanied by all kinds of positive developments in the Muslim world. No longer. Now we’re just heading for the exits, lobbing drones as we go.

The members of the 9/11 generation who fought for our country in Iraq and Afghanistan know the president has blundered. But theirs not to reason why, theirs but to do and die, says Obama.



*The U.S. consulate in Benghazi*

And his opponent for president of the United States? He's apparently concluded that his not to make reply. Mitt Romney's virtual silence on foreign policy is the opposite of politically astute. He most likely can't win the presidency without engaging in, and prevailing in, a serious and sustained national security debate over the next seven weeks. It's irresponsible to duck that debate. When will he begin to ignore his timid advisers, overrule his calculating functionaries, and make the case against Obama—and for America?

All the world wonders.

—William Kristol

---

# The Obamacare Bowl

Have you ever watched a football game in which a team runs the ball seemingly at will and wins in a rout? And then, in a rematch, that same team for no good reason throws the ball repeatedly, with little success? Meet Team Republican. In 2010, it ran Obamacare down the Democrats' throats. The GOP won, 63-0. Now, in the rematch, the Republicans have changed strategy. Confident in their ability to throw easy touchdown passes on the economy, they've eschewed the running game. But so far the GOP has barely been able to complete a pass. The Democrats, who really have no idea how to stop the run, must feel like the luckiest team around.

What gives? Is it possible Republicans have forgotten how they won a historic 63 House seats (and 6 Senate seats) just two years ago?

As exit polling clearly showed at the time, it wasn't because of the economy. Rather, on the heels of a highly unpopular crusade by President Obama and congressional Democrats to impose a massive health care overhaul, Republicans won because of voters' concerns over the federal government's size, scope, reach, and insatiable appetite for money and power. They won because they were united against Obamacare and everything it represents.

To be sure, voters *were* dissatisfied with the economy. But when asked in exit polling who they blamed for the economy's poor performance, only 24 percent said President Obama—compared with 64 percent who blamed either President Bush (29 percent) or Wall Street (35 percent). And while most voters (68 percent) said they didn't think Obama's debt-financed "stimulus" had "helped" the economy, most (66 percent) didn't think it had "hurt" the economy, either.

In the face of such polling, it's awfully hard to argue that voters' dissatisfaction with Obama's economic stewardship

propelled the GOP to its biggest electoral gains in the House since two years before Ronald Reagan played George Gipp in *Knute Rockne, All American*. Something else was afoot—something big.

Exit polling reveals ample evidence as to what that something was. The pollsters didn't give voters the option of "repealing Obamacare" as a response to the question, "Which should be the highest priority for the next Congress?" Still, among the answers offered, "reducing the budget deficit" outpolled any of the others—including "spending to create jobs." Moreover, after half of a presidential term that was focused on Obamacare, voters responded by a margin of roughly three to one (74 to 24 percent) that they felt "dissatisfied" or "angry," rather than "satisfied" or "enthusiastic," about "the way the federal government is working." And by a tally of 56 to 38 percent, voters said the government "is doing too many things better left to businesses and individuals," rather than not doing enough "to solve problems."

The singular importance of Obamacare to Republicans' 2010 success can be gleaned from other sources as well. A study conducted by scholars at Dartmouth and elsewhere found that supporters of Obamacare "paid a significant price" in the election. The authors looked at cap and trade, the economic "stimulus," and Obamacare, and concluded that the latter had by far the most adverse effect on Democratic fortunes. Indeed, if "all Democrats in competitive districts [had] opposed health care reform," about 25 seats would probably have swung from the Republican column into the Democratic column. If not for Obamacare, we'd likely still be referring to Speaker Pelosi.

Nor has Obamacare become remotely popular in the interim. Since the 2010 election, Rasmussen Reports has conducted 77 repeal polls. In all 77, likely voters have supported repeal—by as much as 29 points and never fewer than 5 points. Independents have generally shown about the same amount of support for repeal as the citizenry as a whole. Real Clear Politics lists 19 other repeal polls taken over that span. In all but one, respondents have favored repeal. So, since the last election, repeal's overall win-loss record in the polls is 95-1. Why, exactly, aren't Republicans running on this?

Moreover, thanks to the Supreme Court, the most despised part of Obamacare remains in place: its individual mandate. While state governments often require residents to buy insurance—car insurance, for example—Obamacare's individual mandate would mark the first time in our more-than-200-year history that private American citizens would be compelled to buy a product or service of the federal government's choosing, merely as a condition of living in the United States. Mitt Romney shouldn't let his support for an individual mandate in the Bay State scare him from making this point—repeatedly.

There is one more reason why emphasizing Obamacare is so crucial. The academic study cited above concluded that Democrats' support for Obamacare had led voters "to per-

ceive them as more liberal,” “more ideologically distant,” and more “out of step.” This was particularly true, they said, for independent voters. In other words, voters—especially independent voters—don’t just oppose Obamacare as a matter of policy; they view it as the very symbol of big-government liberalism, and therefore (rightly) identify those who champion it as big-government liberals.

When people wonder why, despite round after round of bad job reports, Mitt Romney can’t seem to break through in the polls, perhaps this finding provides a large part of the answer. By refusing to make Obama’s centerpiece legislation a centerpiece of this campaign, Romney is not just giving up on the most potent Republican argument; he’s also allowing Obama, arguably the most liberal president in history, to slide toward the political center in voters’ minds. Every day of the campaign that passes without an Obamacare argument is a day in which Obama appears more acceptable to independents, the very group of voters the GOP nominee is unabashedly targeting.

To phrase this a bit differently, if you remove Obamacare from the equation, the Obama presidency isn’t clearly objectionable to most independents. Without Obamacare, you’re left with Obama’s having been bad on the economy . . . but so was President Bush. You’re left with Obama’s having been bad on the debt . . . but so was Bush. It’s hard for voters to know how to apportion the blame. Moreover, they

like Obama personally—and they like the *idea* of him. Plus, to return to the football analogy, members of the press corps, instead of playing the role of impartial referees, have signed on as cheerleaders for Team Obama.

But here’s the key: Obama owns Obamacare. He can’t tie it to Bush. He can’t convincingly tie it to Romney—although he’ll surely continue to try. And when trying to tie Obamacare to Romney, Obama suffers from a few disadvantages: Romney didn’t spearhead Obamacare’s passage; Romney didn’t sign Obamacare into law; and Obamacare isn’t named after Romney.

We may be getting late into the third quarter, but there’s still plenty of game left to play. By finally emphasizing his opposition to Obamacare, Romney would slowly but surely move Obama to the left—where he belongs—in voters’ minds. What’s more, unlike on the economy, the debt, or foreign policy, the choice on Obamacare is binary and more obviously decisive for voters. If they reelect Obama, they’ll get a 2,700-page government overhaul that will raise health costs and deficits, lower the quality of care, and compromise Americans’ liberty. If they elect Romney, they’ll get repeal and real reform.

That’s not the choice Obama wants Americans to be thinking about when they walk into the voting booth on November 6.

—Jeffrey H. Anderson

## Help Wanted!

**By Thomas J. Donohue**  
President and CEO  
U.S. Chamber of Commerce

Many American employers are facing an unexpected challenge in a time of chronic high unemployment—an insufficient supply of skilled and educated workers. Statistics show that 3.4 million jobs sit vacant because businesses simply can’t find qualified workers to fill them.

Education and workforce development systems have not kept pace with the demands of the 21st century, creating a skills gap that threatens our prosperity at home and our competitiveness abroad.

Approximately 90% of the jobs in the fastest-growing occupations require some level of postsecondary education or training. But fewer American students are emerging from our public education system with the skills and knowledge they need to succeed. Too many lack proficiency in math, science, reading, communications, and critical thinking. Once first in the world, the United

States now ranks 10th in the percentage of young adults with a college degree. At the same time, baby boomers are retiring at an accelerating rate without a steady inflow of skilled talent behind them.

To help foster a competitive workforce, American businesses spend billions of dollars each year training their employees and pour billions more into education. Despite these investments, employers continue to report that too many applicants are unqualified for modern jobs. Basic training programs alone can’t bridge the gap. And by allowing these jobs to sit vacant, the United States is missing crucial opportunities to grow the economy and strengthen the recovery.

Meanwhile, our competitors are surging ahead in the global race for talent. Germany, India, Korea, and China have all made preparing their citizens to work in the 21st century a priority—and their economies are stronger for it. Global investors and major manufacturers tend to go where the skilled workers are, which is increasingly not in America.

To bridge the U.S. skills gap, we must focus on developing homegrown talent through commonsense education reforms. Applying the principles of innovation, transparency, accountability, high standards, and a focus on efficiency and results would help restore excellence in American schools. Our students must have a strong foundation in order to move on to higher education and advanced training. We can also better leverage the talents and experience of U.S. veterans by smoothing their transition to the workforce. Many military servicemembers have skills that are directly transferable to private sector jobs.

Americans need jobs, and U.S. employers need workers. Through smart reforms, we can bridge the skills and education gap, match workers with jobs, and energize the economy.



100 Years Standing Up for American Enterprise  
**U.S. Chamber of Commerce**

---

# Retreater in Chief

Things are getting ugly in Afghanistan. Taliban insurgents somehow managed to penetrate the coalition's main base in Helmand Province, Camp Bastion, and blow up six Marine Corps Harrier jump jets and damage two others, making this the greatest single-day loss of American warplanes since the Vietnam war. (The Harrier squadron commander, Lt. Col. Christopher Raible, was killed in the attack.) Another Taliban suicide bomber struck in Kabul, killing a dozen people, including contract workers for the U.S. embassy. Oh, and there have been more "green on blue" killings, bringing to 51 (and counting) the number of coalition troops killed this year by Afghan security personnel.

These attacks have led the U.S. Special Forces to suspend training of new recruits for the Afghan Local Police, a critical force designed to supplement the regular police and army, and more recently the NATO command to suspend at least temporarily joint operations with the Afghans below the battalion level. The most common and important security operations are carried out in small units—squads, platoons, and companies, not battalions or brigades. If the ban persists, it will cripple the effort of U.S. forces to improve the combat performance of their Afghan counterparts.

Amid such serious setbacks, what do we get from the administration? Robotic statements from White House press secretary Jay Carney that the timeline for withdrawing personnel—now, with the surge completed just days ago, numbering 68,000 U.S. troops, down from a war-time high of 100,000—remains unaffected. And from Defense Secretary Leon Panetta we hear that the recent Taliban attacks are insignificant—merely the "last gasp" of a defeated insurgency. It is hard to take seriously such blithe assurances, which recall the dark days of both the Vietnam and Iraq wars when our leaders told us that we should not believe the evidence of our own eyes—that, despite all signs to the contrary, there was light at the end of the tunnel.

This is not to suggest by any stretch of the imagination that things are as bad in Afghanistan as they were in Vietnam in 1967 or in Iraq in 2007. The overall level of violence is much lower, and there has been demonstrable progress as a result of President Obama's surge. Coalition troops have managed to clear the Taliban out of many of their sanctuaries in Helmand and Kandahar Provinces. The buildup of the Afghan security forces, which are now

350,000 strong, is proceeding despite the dangers posed by insider attack. There have even been some scattered successes in improving the delivery of local services in districts that have been major centers of coalition activity.

But let's not kid ourselves. The Taliban (and related groups, such as the even-more-fanatical Haqqani network), are far from defeated. They remain secure in their Pakistan sanctuaries, which a decade's worth of American efforts have done nothing to dislodge. The Taliban even maintain many sanctuaries within Afghanistan itself, particularly in eastern Afghanistan, where the coalition has never had enough troops to do the kind of "clear, hold, and build" operations that have been conducted in the south. And the state of Afghan governance remains poor, with outrageously corrupt and abusive officials—the greatest recruiting agents the Taliban could possibly have—still in office despite half-hearted American efforts to root them out.

The greatest cause for despair is the lack of presidential leadership. President Obama notoriously refuses to talk about the war, to explain setbacks, and to tell the American people how his plan for victory will work. "Victory" is not, in fact, a word he ever uses. Instead he talks mainly about how he is "ending the war," by which he means pulling U.S. troops out—thereby making a bigger war more likely. Obama never granted the generals as many troops as they requested (Gen. Stanley McChrystal had said that 40,000 reinforcements were necessary to keep risk at a moderate level; Obama sent only 30,000), and he pulled out the surge troops faster than the generals wanted (Gen. David Petraeus had recommended keeping the surge forces through the summer of 2013 or at least until the end of 2012; Obama has already pulled them out).

Obama's determination to withdraw is plainly evident to Afghans, friend and foe alike—and undercuts the assurances of continuing American commitment contained in the U.S.-Afghan Strategic Partnership Agreement signed earlier this year. The Taliban are obviously expecting, with all U.S. combat troops gone by the end of 2014, that they will be able to make up lost ground. And those Afghans who are allied with the United States are visibly nervous, wondering if they should make accommodations with the Taliban lest they wind up on the losing side. This could well account, at least in part, for Karzai's willingness to break publicly with the United States on numerous issues; it could even help to explain why some renegade soldiers and police turn their guns on their coalition partners.

In some ways the current situation—with an uncertain and likely deteriorating situation on the ground accompanied by unconvincing assurances from the top that everything is much better than you think—reminds us of Iraq in 2006. Only a surge of troops and a change of strategy—making victory rather than withdrawal the military objective—

saved us from defeat in Iraq. Afghanistan could undoubtedly use a troop surge today and a greater focus on defeating the insurgency rather than simply handing off the fight to Afghans. But that is unlikely because of the extreme war weariness back home. Even Republican lawmakers who have so far been stalwart in support of a war effort directed since 2009 by a president of the other party are so fed up that they are openly discussing the advisability of a complete pullout rather than see more of our brave troops killed or maimed in a losing cause.

We sympathize with the criticisms that lawmakers are making and agree it is high time for President Obama to reevaluate his strategy and to explain more fully to the American people just what we are doing in Afghanistan and how we are doing it. That said, bad as the situation is today, we should not ignore the probability that an American pullout could make things far worse. Sen. Lindsey Graham has recently been quoted as saying: “What happens when you leave? Tell me a scenario where we’re safer by pulling the plug on Afghanistan. . . . I can’t envision a scenario that doesn’t lead to holy hell . . . and I can’t envision a scenario where another 9/11 doesn’t come about.”

Like Sen. Graham, we can’t imagine how America’s security could be improved by a hasty departure from Afghanistan. Our withdrawal would probably plunge the country into civil war. The last time that happened, in the 1990s, the Taliban emerged victorious. There is every reason to expect that, with Pakistan’s support, they would come out on top again. Taliban leaders have promised not to allow their territory to be used as a staging ground for attacks abroad, but there is no more reason to trust them now than in the 1990s. The Taliban have had numerous opportunities to break with al Qaeda and other malign groups and they have consistently refused to do so. The Haqqani network is even more closely linked to the terrorist nexus in Pakistan.

If the Taliban do take power in Afghanistan, it is certain to have a corrosive impact on Pakistan’s already fragile stability, raising the nightmare possibility of jihadists getting their hands on nuclear weapons. And, of course, a victory for jihadists over the last remaining superpower—which is how an American pullout from Afghanistan would be perceived in the Middle East, regardless of how it was spun by the White House—would be a big boost for al Qaeda in Iraq and other extremist groups which already have found openings in Libya, Syria, and other countries thrown into turmoil by the Arab Spring.

The present path in Afghanistan—of drift and draw-down—is discouraging. But hard as it may be to swallow, Republicans—including their presidential nominee, Mitt Romney—need to avoid the counsels of despair and to push for a robust, long-term American engagement that can stabilize Afghanistan and prevent al Qaeda’s allies from once again taking over.

—Max Boot

# Permanent Spin

For nine days, the Obama administration made a case that virtually everyone understood was untrue: that the killing of our ambassador and three other Americans in Benghazi, Libya, was a random, spontaneous act of individuals upset about an online video—an unpredictable attack on a well-protected compound that had nothing to do with the eleventh anniversary of 9/11.

These claims were wrong. Every one of them. But the White House pushed them hard.

Susan Rice, the U.S. ambassador to the United Nations, appeared on five Sunday talk shows on September 16. A “hateful video” triggered a “spontaneous protest . . . outside of our consulate in Benghazi” that “spun from there into something much, much more violent,” she said on *Face the Nation*. “We do not have information at present that leads us to conclude that this was premeditated or preplanned.”

On *This Week*, Rice said the consulate was well secured. “The security personnel that the State Department thought were required were in place,” she said, adding: “We had substantial presence with our personnel and the consulate in Benghazi. Tragically two of the four Americans who were killed were there providing security. That was their function, and indeed there were many other colleagues who were doing the same with them.”

White House press secretary Jay Carney not only denied that the attacks had anything to do with the anniversary of 9/11 but scolded reporters who, citing the administration’s own pre-9/11 boasts about its security preparations for the anniversary, made the connection. “I think that you’re conveniently conflating two things,” Carney snapped, “which is the anniversary of 9/11 and the incidents that took place, which are under investigation.”

Wrong, wrong, wrong, and wrong. Intelligence officials understood immediately that the attacks took place on 9/11 for a reason. The ambassador, in a country that faces a growing al Qaeda threat, had virtually no security. The two contractors killed in the attacks were not part of the ambassador’s security detail, and there were not, in fact, “many other colleagues” working security with them.

The nature of the attack itself, a four-hour battle that took place in two waves, indicated some level of planning. “The idea that this criminal and cowardly act was a spontaneous protest that just spun out of control is completely unfounded and preposterous,” Libyan president Mohammad el-Megarif told National Public Radio. When a reporter asked Senator Carl Levin, one of the most partisan Democrats in the upper chamber, if the attack was planned, Levin said it was. “I think there’s evidence of that. There’s been evidence of that,” he responded, adding: “The attack looked like it was planned

and premeditated, sure.” Levin made his comments after a briefing from Secretary of Defense Leon Panetta. Representative Adam Smith, a Democrat on the House Intelligence Committee, agreed. “This was not just a mob that got out of hand. Mobs don’t come in and attack, guns blazing. I think that there is a growing consensus it was preplanned.” And according to CNN, Undersecretary of State Patrick Kennedy “has said that the attack appeared to be planned because it was so extensive and because of the ‘proliferation’ of small and medium weapons at the scene.” Not only was the attack planned, it appears there was no protest at all. Citing eyewitnesses, CBS News reported late last week: “There was never an anti-American protest outside the consulate.”

So we are left with this: Four Americans were killed in a premeditated terrorist attack on the eleventh anniversary of 9/11, and for more than a week the Obama administration misled the country about what happened.

This isn’t just a problem. It’s a scandal.

If this were the first time top Obama officials had tried to sell a bogus narrative after an attack, perhaps they would deserve the benefit of the doubt. It’s not.

On December 28, 2009, three days after Umar Farouk Abdulmutallab attempted to detonate explosives in his underwear aboard an airliner over Detroit, President Obama told the country that the incident was the work of “an isolated extremist.” It wasn’t. Abdulmutallab was trained, directed, and financed by Al Qaeda in the Arabian Peninsula, a fact he shared with investigators early in his interrogation.

The same thing happened less than six months later, after Faisal Shahzad attempted to blow up his Nissan Pathfinder in Times Square. Two days following the botched attack, Homeland Security Secretary Janet Napolitano took to the Sunday shows to dismiss reports of a conspiracy and insisted that the attempted bombing was just a “one-off” by a single attacker. It wasn’t. A week later, after much of the information had leaked, Attorney General Eric Holder acknowledged that the United States had “evidence that shows that the Pakistani Taliban was behind the attack. We know that they helped facilitate it, we know that they probably helped finance it and that he was working at their direction.”

In each instance, top administration officials quickly downplayed or dismissed the seriousness of the events, only to acknowledge, after the shock had worn off and the media had turned to other news, that their initial stories were incorrect. Whether it was because the attempted attacks were unsuccessful or because the media simply lost interest, the administration largely escaped serious criticism for making claims that turned out to be wrong.

They’ve had mixed success this time. On the one hand, as the final elements of the administration’s story began to unravel in the middle of last week, the *New York Times* did not find those facts fit to print. On Thursday morning, the same day White House spokesman Jay Carney would finally admit that the Benghazi assault was “a terrorist attack,” the

*Times* did not publish a story about Libya. It wasn’t as though it took serious digging to find the contradictions. One day earlier, Fox News had reported that intelligence officials were investigating the possibility that a former Guantánamo detainee had been involved in the attack. A story by Reuters raised questions about administration descriptions of the protests, noting “new information” that “suggests that the protests at the outset were so small and unthreatening as to attract little notice.” The story reported: “While many questions remain, the latest accounts differ from the initial information provided by the Obama administration, which had suggested that protests in front of the consulate over an anti-Islamic film had played a major role in precipitating the subsequent violent attack.” And CBS, as noted, reported that same day that there simply were no protests.

And what about the film? The Obama administration has sought to explain nearly everything that has happened over the past two weeks as a response to the video. President Obama denounced it during his remarks at the memorial for the four Americans killed in Libya. So did Secretary of State Hillary Clinton. White House spokesman Jay Carney has mentioned it almost daily. At the end of last week, the United States spent \$70,000 to buy ads in Pakistan to distance the U.S. government from its message.

That’s ironic. In its effort to deflect blame for the unrest, the administration has given more attention to this obscure film than it ever would have gotten if they’d simply ignored it. It’s true that radical Islamists used the film to help populate the 9/11 protests at the U.S. embassy in Cairo. But they also told fellow radicals to join in a protest of the continued detention of Omar Abdel Rahman, the blind sheikh who was behind the 1993 bombing of the World Trade Center. And some of the others who gathered were “Ultras”—soccer hooligans looking for trouble.

The American embassy in Cairo first drew attention to the film in its statement. And the administration—after initially distancing itself from that statement—has made it the centerpiece of its public relations campaign ever since, as protests spread to more than 20 countries. The result: Every Muslim with access to media is now aware of a bizarre video that had a few thousand views on YouTube on September 10.

That’s exactly what the radicals wanted, according to a U.S. intelligence official familiar with the reporting on Egypt. The focus on the film was an “information operation” by jihadists designed to generate rage against America. If he’s right, it worked.

Barack Obama came to office promising to repair relations with the Islamic world. What he couldn’t accomplish by the mere fact of his presidency, through his name and his familiarity with Islam, he would achieve through “smart diplomacy.”

Instead, over the last four years, and particularly the last two weeks, the defining characteristics of his foreign policy have been mendacity, incompetence, and, yes, stupidity.

—Stephen F. Hayes

# A Rocky Start in the Rockies

Romney needs to win Colorado, but hasn't closed the deal.

BY FRED BARNES



*Denver*  
**C**olorado is Mitt Romney's safety valve. If he falters in the East—losing, say, Ohio—Colorado is the key to offsetting that defeat and still winning Romney 270 electoral votes. In fact, as the presidential race now stands, Romney probably won't be sitting in the White House next January unless he does win Colorado.

Romney *ought* to capture Colorado. There are 97,954 more registered Republicans than Democrats in the state. In 2010, Republicans won two House seats, gained control of the state house of representatives, and ousted two statewide Democratic officials for the first time since 1974. If Republicans hadn't botched the elections for governor and senator, Colorado would be seen today as rich GOP soil.

Romney polls well here, relatively speaking. The *Denver Post* is outlandishly pro-Obama, but its poll in mid-September gave the president only a one-point lead, 47-46 percent. Republicans were thrilled, especially with

the gender gap shrinking to 6 percentage points. Rasmussen polled here last week and found Romney ahead, 47-45 percent. Other polls put Obama in the lead by up to 5 percentage points.

Best of all for Republicans, they seem to have overcome their death wish. They ruled Colorado in the 1990s

**In 2010, Republicans in Colorado won two House seats, gained control of the state house of representatives, and ousted two statewide Democratic officials for the first time since 1974.**

and into the 2000s, then lost their way as Democrats put together a sophisticated election machine and seized control. An example of the reversal: Bush won Colorado in 2004 by almost 5 percentage points, Obama won by 9 in 2008. Meanwhile, Republicans specialized in bickering.

In 2010, Weld County prosecutor

Ken Buck was headed to victory in the Senate race until he likened homosexuality to alcoholism during an appearance on *Meet the Press*. Democrats pounced on him as “extreme” and he lost by 30,000 votes. In the governor's campaign, the Republican nominee, Scott McInness, was forced to drop out after it was discovered he had collected \$300,000 for a plagiarized report. Democrat John Hickenlooper waltzed to victory.

As if hexed by the GOP's misfortunes, Romney got off to a slow start here. He won the presidential caucuses in 2008 with 60 percent of the vote, but got only 35 percent this year and lost to Rick Santorum. After locking up the nomination this spring, he stayed away from Colorado for more than seven weeks—until scheduling two days of campaigning this week.

Richard Beeson, Romney's national political director and a Colorado native, says the need for fundraising kept the candidate away. “We've got to keep up with this Obama money machine,” he told me. As excuses go, that's a pretty lame one.

Obama has already devoted 10 days to campaigning in Colorado this year.

*Fred Barnes is executive editor of THE WEEKLY STANDARD.*

DAVE MALAN

He brought Sandra Fluke, the law student famous for demanding free contraceptives, with him to Denver in August. His air war of TV ads was unleashed in early spring. “He practically lives in Colorado,” says Floyd Ciruli, a widely respected Denver pollster. But Colorado turns out to be “the weakest link in his strategy” for winning battleground states, according to Ciruli.

One reason is that the strategy is a clone of Democratic senator Michael Bennett’s campaign against Buck. It’s heavy on abortion and social issues and attaches the word “extreme” to Romney. In Colorado, “that’s the magic word to call your opponent,” Ciruli says. “Obama does it all the time.”

His latest ad features a woman named Jenny, who says “it’s a scary time to be a woman,” what with Romney being “so out of touch.” An announcer adds, “Mitt Romney opposes requiring insurance coverage for contraception. And Romney supports overturning *Roe v. Wade*. Romney backed a bill that outlaws all abortion, even in case of rape and incest.”

Yet neither Obama’s ubiquitous ads nor his frequent appearances—most recently at the University of Colorado and Colorado State University—have revived the enthusiasm Obama generated in 2008. “There really was a Beatles phenomenon going on,” says John Andrews, the director of the conservative Centennial Institute.

Obama has lost his luster as Colorado has returned to normal. It’s basically a conservative state, western-style. The most prominent fiscal conservative is Hickenlooper, the Democratic governor who is believed to be eyeing a run for president in 2016. There are lots of libertarians and “unaffiliated” voters, many of them women, and lots of evangelical Christians.

“This is a very winnable state” for Romney, says Jon Caldara, president of the influential Independence Institute. Many Coloradans “want to vote against Obama, but Romney hasn’t made the sale yet,” says consultant Dick Wadhams, a former state GOP chairman.

To attract them, Romney must

triumph in the first debate with Obama on October 3. This is because of the peculiar system of voting in Colorado. Three weeks before the election, ballots are mailed to 70 percent of voters, and early voting at polling stations begins on October 22. Only 15 percent of voters may be left to show up on November 6.

Which candidate this helps is anybody’s guess. But both campaigns have organized vast efforts to contact voters. Romney sent his national field director, James Garcia, to run the voter drive in Colorado. By all accounts, he’s built a strong team.

What does it take for Romney to win? Citing the *Denver Post* poll, Andrews notes that Romney leads by 6 percentage points outside metro Denver. “Keep the metro close and we win,” he says. “The poll shows Obama leads with seniors, but do you

believe that will hold? I don’t. There is a lot of work to do, but ‘red state recapture’ is within reach.”

Nationally, Colorado fits the so-called 3-2-1 scenario: If Romney wins Indiana (11 electoral votes), North Carolina (15), and Virginia (13), plus Florida (29) and Ohio (18), he’ll need but one more state, any state. Colorado (9) would do. This assumes Romney captures all the states John McCain won in 2008, which is likely.

Or Colorado could be the linchpin of the offset scenario, making up for a lost state in the East. Should Ohio go to Obama, Colorado plus Nevada (6) and New Mexico (5) would do the trick for Romney. Variations of this scheme would work too. But if Romney loses two or three or more of those eastern states, you can forget Colorado, while bracing yourself for Obama’s second term. ♦

## What the Schneck?

A Catholic University scholar’s data-free theory on Romney and abortion. BY JONATHAN V. LAST

Professor Stephen Schneck is a conundrum. He’s a Catholic who works for the Catholic University of America (CUA). But he’s involved with the group Catholics for Obama—despite the church hierarchy’s view that the president is attacking the religious freedom of Catholics. He’s pro-life. But he supports Democratic politicians universally—even though the party has become manifestly hostile to pro-lifers. Schneck’s most puzzling contradiction is this: He claims that while Democrats support abortion rights, it’s really Republicans who cause abortions.

Schneck is very specific about it. He has numbers. At an event in Charlotte earlier this month during the Democratic convention, Schneck

spoke on a panel hosted by Democrats for Life. He asked the audience, “Can one vote for Romney if it means a 6, or 7, or, God forbid, 8 percent increase in the number of abortions in America?”

That’s an interesting question. Interesting because (1) it contradicts the received wisdom about abortion and (2) it does so with seeming mathematical precision. Schneck doesn’t foresee a 4 percent jump. Or a 12 percent jump. He locates the projected rise in a narrow band. It’s the kind of figure that brings you up short. Because Stephen Schneck isn’t just some crank professor trying to rile up his undergraduates. He’s the director of the Institute for Policy Research & Catholic Studies—CUA’s in-house think tank. As IPR says on its website, the “institute continues to bring rigorous academic research

*Jonathan V. Last is a senior writer at THE WEEKLY STANDARD.*

to bear on contemporary questions of public policy and religion.”

So when Schneck says that the number of abortions will increase under Mitt Romney, by 6 or 7 or 8 percent, he isn’t just popping off. He’s a serious academic, wearing Catholic University’s pointiest, most rigorous, social science hat.

Or so, at first, I thought.

Schneck made that claim twice during the panel—once in his prepared remarks and again in response to questioning from the audience. Neither time did he qualify it with any of the hedges social scientists normally use. He didn’t say that this was “a theory,” or “it’s entirely possible that.” He explained his numbers thus:

Medicaid now pays for more than one-third of all births in America. Pregnancies are expensive. The medical costs of newborns are expensive. An abortion by contrast costs hardly anything at all. So what will gutting Medicaid by 40 percent mean for abortion? I’m convinced that the number of abortions in America would skyrocket if those cuts are made. The rate of abortions will likely skyrocket if Romney and Ryan are elected and have their way with Medicaid.

After the event I asked Schneck for a bit more detail on these numbers. I assumed he had published research on the topic. He had not. Here is how he explained how he arrived at his figures:

First of all, as I said, [there will be a] 40 percent cut in Medicaid, and one-third births are now paid for by Medicaid. And we’ve seen already that with the extension of things like Medicaid that we’ve already talked about [in] Massachusetts [under Romneycare], that it’s decreased the abortion rate. And so this is just a reversal of that logic. So if we have good evidence that it decreases abortion rates if we

provide more extensive Medicaid coverage, and so forth.

I pressed him a little more on where his *data* came from. After all, if this really was just an extrapolation which assumes that births being paid for by Medicaid would become abortions after Medicaid was cut by 40 percent, then the number of abortions would increase by 13.2 percent, not between 6 percent and 8 percent. Here’s what Schneck told me:

The numbers are coming from . . . the Center for Budget and Policy Priorities, so they’ve got all the numbers on Medicaid and their analysis of, you know, how the cuts are likely to play out. Now they don’t have an analysis of the abortion rates. Uh, that’s research that I think is still desperately needed to be done.



Stephen Schneck

After the Charlotte event, the remark stuck with me. Surely he wouldn’t claim that abortions will increase under a Romney administration by a given percentage and then say that there isn’t any research on the subject. So I emailed

to follow up. We exchanged a few notes back and forth. He said he was busy. He said he might write about the subject himself at some point in the near future. After my third attempt to get him to explain how he arrived at his “6 percent to 8 percent,” he stopped answering.

It turns out that there has been some research on the topic. In 2010, the *New England Journal of Medicine* published a study by Patrick Whelan reporting that in the first year under Romneycare, which passed in 2006, the number of abortions in Massachusetts dropped by 1.5 percent. That suggests some support for the first part of Schneck’s theory, that increasing access to Medicaid-like subsidies for births reduces abortions.

But there was an obvious

complication. Abortion had been generally declining in Massachusetts since its peak in 1979. Between 1979 and 2006—the year before Romneycare took effect—the annual number of abortions in Massachusetts had decreased by 45 percent. As Whelan admitted in his paper, it’s difficult to say how, exactly, medical subsidies influenced abortion behavior. When you look at almost *any* pair of consecutive years, you generally see a decline in abortions. Between 2003 and 2004, for instance, the number of abortions in Massachusetts fell by 5.3 percent. So you could just as easily suggest that Romneycare *contributed* to abortion by slowing its rate of decrease to a mere 1.5 percent over two years.

To Whelan’s credit, he understood the limitations of his finding. In his conclusion, he merely offered:

I believe it is reasonable to conclude that the possibility of some federal subsidization of overall care, for a fraction of the additional 31 million people who would be covered, would not mean a significant or even a likely increase in the number of abortions performed nationally.

Very little research turns on the exact question of what happens to abortion when public assistance for births is cut. Michael New, a University of Michigan-Dearborn professor who specializes in the economics and law of abortion, observed in *National Review* that there’s not a single peer-reviewed study that’s directly on point. But there is some research that comes at the question obliquely.

A 1996 study by William Niskanen for *Cato Journal* suggested that as welfare payments increased, so did abortion rates. Another study that year in the *Journal of Health Economics* looked at what happened to abortion rates in states which maximized their welfare benefits, and found that higher benefits either had no effect on abortion rates, or increased them slightly. One other study, a 2008 report from the group Catholics in Alliance for the Common Good, found that increasing welfare spending had small, uneven effects on abortion—sometimes

increasing it slightly and sometimes decreasing it slightly. Generally speaking, there seems to be no “income effect”—increasing resources does not reduce the demand for abortion.

There are more data coming at the question from another angle. In 2009 the Guttmacher Institute did a survey of the literature concerning what happens to abortion when public funding for it is restricted—as the speakers at the Democratic National Convention assured America it would be under a Republican president. There have been 38 studies on the subject and nearly all of the research suggests that if a Romney-Ryan administration reduced public funding for abortion, the number of abortions would greatly decline. Guttmacher found that when Medicaid funding for abortion was cut, anywhere between 18 percent and 37 percent of pregnancies that *would have been abortions* were converted to births.

In other words, the nation’s premier pro-choice think tank concluded the exact opposite of what Schneck suggests.

Of course, even the “40 percent cut in Medicaid” is nonsense, as Michael Frago pointed out writing for the Witherspoon Institute. The Center on Budget and Policy Priorities study Schneck cites admits that they are only presenting a theory about what a Mitt Romney budget might look like based on press releases and news stories. There is so little data to support his claim then, that Schneck might as well have predicted that a Romney administration would cause a 6 percent to 8 percent increase in unicorns.

There’s nothing particularly novel or shocking about a Catholic professor supporting President Obama, or cutting against the church hierarchy, or taking counterintuitive views of social science. Catholic academia, after all, is still academia.

The scandal of Stephen Schneck is really about Catholic University. Because the head of the public policy research unit at the church’s flagship university is hawking to the public a model based on *no* data and *no* research. ♦

# Power Grab

Our technocratic future.

BY WESLEY J. SMITH

To paraphrase Freud: Liberals, what do they really want? Not the communism or socialism of the right’s fever dreams. They know that didn’t work. Today’s liberal agenda is more akin to the corporatist vision of the 1920s and ’30s—an economy in which the state directs the activities of the private sector to achieve ideologically desired ends. But even that description doesn’t quite get to the nub of it. Liberals today seek to create a stable, and what they perceive to be a socially just, society via rule by experts—in which most of the activities of society are micromanaged by technocrats for the economic and social benefit of the whole. In other words, social democracy without the messiness of democracy, like the European Union’s rule-by-bureaucrats-in-Brussels. This is the “fundamental transformation” that President Obama seeks to implement in this country.

The siren song of technocracy attracts members of both parties. Left-wing types tend to believe in issuing direct government commands. Think Nancy Pelosi or Mayor Bloomberg. Big government right-wingers prefer to induce “desirable” behavior through incentives. Think Newt Gingrich at his most utopian.

Since technocrats believe their job is to protect us from ourselves, preventing people from getting hurt becomes

the prime directive, the equality that matters most is equality of outcome—not opportunity—an unattainable goal, which conveniently means a technocrat’s work is never done.

Europeans generally accept this benign statism as the best way to maintain peace and social stability.

It has been somewhat rougher sledding in the United States because technocracy undermines individual liberty and the American dream. Hence the widespread outrage over “You didn’t build that.”

But with the coming of the Affordable Care Act (ACA), aka Obamacare, the technocrats have broken ground for a full-bore, EU-style bureaucratic state. Leading

the charge is the Independent Payment Advisory Board, governed by 15 “experts” appointed by the president and confirmed by the Senate. Established to control Medicare costs, IPAB possesses the raw power to force Congress to legislate via its “fast track authority”; IPAB’s financial targets must be enacted into law by August 15 of each year, beginning in 2014. Not only that, if Congress refuses to legislate the level of cost containment demanded by IPAB (or if the president vetoes the bill), IPAB’s original recommendation is automatically imposed. In other words, IPAB’s cost-cutting word is law. And if that isn’t enough: Congress can’t dissolve IPAB until 2017—and then only by a supermajority vote of both houses.

Defenders of IPAB claim that such extraordinary authority is necessary because Congress can’t be trusted to cut costs. We should never underesti-



*You’ll love health care rationing—trust us.*

*Wesley J. Smith is a senior fellow at the Discovery Institute’s Center on Human Exceptionalism. He consults for the Patients Rights Council and the Center for Bioethics and Culture.*

NEWS.COM

mate Congress's cravenness, but that is no reason to bulldoze democratic accountability or devolve power from the elected organs of government to a semi-sovereign bureaucracy.

Defenders also tell us not to fear because IPAB's cost-cutting weapons are limited primarily to controlling payments to doctors and hospitals—never mind that draconian cuts in compensation could make it extremely difficult for Medicare beneficiaries to find doctors. But the broad power given to IPAB was not designed to remain limited. Even before it is up and running, President Obama has said that IPAB should be “strengthened.”

More specifically, Christina Romer, the former head of the president's Council of Economic Advisers, suggested in a July 22 column in the *New York Times* that IPAB “could be empowered to suggest changes in benefits or in how Medicare services are provided,” once it has a “track record”—meaning, once it becomes an accepted reality. But as we have seen, IPAB doesn't merely “suggest,” it dictates. Thus, Romer is actually arguing that IPAB could eventually be granted absolute authority over Medicare policy, including, perhaps, health care rationing power that would be the envy of any EU technocrat.

Former Obama Treasury Department adviser and *New York Times* columnist Steven Rattner specifically urged transforming IPAB into a rationing board in a September 17 column. “No one wants to lose an aging parent,” he wrote. But the cost of caring extensively for the elderly “imposes an enormous societal cost that few other nations have been willing to bear,” and so we too must jump into the rationing pool:

Take Britain, which provides universal coverage with spending at proportionately almost half of American levels. Its National Institute for Health and Clinical Excellence uses a complex quality-adjusted life year system to put an explicit value (up to about \$48,000 per year) on a treatment's ability to extend life.

At the least, the Independent Payment Advisory Board should be

allowed to offer changes in services and costs. We may shrink from such stomach-wrenching choices, but they are inescapable.

Once we turn our affairs over to the technocracy, bureaucrats even get to decide which of us has greater value and which of us can be kicked out of the lifeboat.

Technocracy is ultimately not about expertise but about determining the common moral values of society. It does not countenance competing centers of moral authority. It is no surprise that the first major regulation promulgated under the ACA by the Obama administration directly attacked freedom of religion by requiring sectarian institutions and private businesses to provide their employees free birth control and sterilization surgeries even if it violates their religious consciences.

Obamacare is also a splendid vehicle for imposing liberal social values that technocrats favor.

Thus, the next time the Democrats enjoy one-party rule, expect them to amend the ACA first to permit, then to mandate, abortion coverage. Indeed, Obamacare could easily become the vehicle for enacting many profoundly culture-changing policies, such as requiring employers to cover free in-vitro fertilization, not to mention sex reassignment surgery, and eventually assisted suicide.

The issue isn't whether there should be regulation. Only the most radical libertarians favor *laissez faire*. The concern is the Obama administration's apparent eagerness to cross the border from reasonable regulation to the land of technocracy—and not just in health care. In this sense, the current election is about far more than policy issues such as taxation, spending, and terrorism. More profoundly, we will find out whether the voters are ready to allow a second term President Obama to transform Washington, D.C., into Brussels on the Potomac. ♦

# The Right Way to Engage Burma

Insist on democratic reforms.

BY ELLEN BORK

A cartoon on the front page of the August 2 *Independent*, a weekly journal published in Burma's capital, showed a rider approaching a fortress painted with the stars and stripes of the American flag.

“Please open the door,” the rider says.

“What is the password?” asks a voice from within the fortress.

“Democracy,” says the rider.

“Is that permanent or temporary?” asks America.

The cartoon poses two questions:

*Ellen Bork is director for democracy and human rights at the Foreign Policy Initiative.*

Is Burma's surprising, opaque political opening for real? And how much are Burma's leaders motivated by a desire for closer ties with the United States? The answers will shape America's Burma policy as both Aung San Suu Kyi, the leader of Burma's democracy movement, and President Thein Sein, the reformist former general, visit the United States this month.

Burma's thaw looks promising. President Thein Sein is taking steps no one predicted when he traded his military uniform for a coat and tie after an electoral exercise in 2010 that perpetuated the military government behind a civilian veneer. Last month,

the government ended prepublication censorship and replaced the reviled information minister. Political exiles were welcomed home, and commemorations of August 8, 1988—the date of a protest marking the beginning of Burma’s democracy movement, known as 8888—were held with the participation of two reformist government ministers. In recognition of these positive steps, the Obama administration has lifted sanctions targeted specifically against Thein Sein and the speaker of Burma’s parliament, Shwe Mann.

Most important, Aung San Suu Kyi has been able to return to politics after the better part of two decades under house arrest. The military regime prevented her party, the National League for Democracy (NLD), from taking power after its landslide 1990 election victory. Following her release, she and her party ran in the April 2012 by-elections, winning 43 of 44 seats it contested, including in Naypyidaw, the capital, inhabited mostly by government workers. The NLD’s small parliamentary presence belies its enormous influence. Aung San Suu Kyi and the president have met several times, and she commands enormous international support. On September 19, she met President Obama at the White House and received Congress’s highest award, the Gold Medal, in Washington, D.C.

Democracy advocates inside and outside Burma worry that U.S. policy is changing too fast before reforms are consolidated. Political prisoners remain in jail—even one is too many, Aung San Suu Kyi has always said. U.S. officials also voice doubts. “There are forces that would take the country in the wrong direction if given the chance,” warned Secretary of State Hillary Clinton, in an appearance with Suu Kyi at the U.S. Institute of Peace on September 18. One factor in the “backsliding” Secretary Clinton is concerned about is Burma’s 2008 constitution, which gives a large role to the military. That

constitution “is not consistent with democratic values,” said U.S. ambassador to Burma Derek Mitchell at his June confirmation hearing, adding, “Until those fundamentals change you do have a question of whether . . . the military or others associated with it can reverse what’s going on.”

As for why Burma’s thaw began, speculation runs from the impact of U.S. and European sanctions, including investment bans and travel restrictions on top officials and tycoons, to President Thein Sein’s shock upon seeing the gap between Burma’s development and that of nearby Laos and Vietnam.



*Aung San Suu Kyi in Washington, September 19*

A third line of speculation has it that Thein Sein and other leaders are wary of neighboring China, which has invested heavily in Burma and seeks access through Burma to the Bay of Bengal and the Indian Ocean. Under this theory, Burma’s president had to reform enough that Washington could end sanctions, upgrade diplomatic ties, and enable military relations. This view got a boost when the president suspended the unpopular Myitsone dam project, backed by a Chinese state-owned firm. Many Burmese were elated.

A recent report by Washington’s Center for Strategic and International Studies threw cold water on this notion, calling the China factor in Burma’s opening “overstated.” To the contrary, the report’s authors said that in meetings with members of the government in Burma, their contacts “encouraged the United States to avoid zero-sum policies toward China” and recommended Washington “explore collaboration with China in Myanmar.” The desire of Burmese leaders to get along with China and avoid Burma’s becoming a geopolitical prize is understandable. Burmese public opinion, however, should not be overlooked.

Burma’s people “want very much to be associated with the United States,” according to journalist Maung Wuntha. “They believe that the ability to resist

China depends on strong relationships with the United States and Europe.” They also welcome U.S. investment. “American businessmen are more gentlemen than Chinese,” said a Mandalay-based writer, Thint Nor. “It is too early to lift all the sanctions,” said Zan, his friend and fellow writer, who ate toasted rats in prison. Washington should be wary of dealings with military-connected businessmen in Burma. “They should really take care,” said Moe Thway, a young activist with the group Generation Wave, lest crony businessmen “wash their money in a U.S.-made washing machine.”

The potential for investment to improve Burma’s economy—or to enrich “the cronies”—is not the only thing on Burmese minds. A democratic overhaul should also transform Burma’s foreign policy, argued Aung Shin, a poet and NLD elder who served nine years in jail. He was upset by Burma’s early August vote against a U.N. resolution criticizing Syria’s use of heavy weapons in civilian areas and other human rights abuses. That put Burma in the company of Iran, Belarus, North Korea, Russia, and, of course, China. “We don’t like it,” he said, slowly shaking his head. “No!” he corrected himself. “Not ‘don’t like.’ *We hate it.*”

Burma wouldn’t be the first military dictatorship to move toward reform out of a desire to improve relations with the United States. Even countries with extensive ties to the United States—like South Korea and Taiwan—reacted to changes in their domestic and strategic situations by taking steps toward democracy. The desire to attract support from democracies has even been suggested as a reason that the king of Bhutan, snug up against the border of Chinese-occupied Tibet, introduced democratic change.

Burma’s leaders may be circumspect about China’s influence as a factor in political reform and ties with the United States. President Thein Sein’s visit to New York begins after he pays a call on Chinese leaders in Beijing.

One doesn’t choose one’s neighbors, Aung San Suu Kyi has said. But Burma’s people do want to choose their friends.

NEWS.COM

# Europe's Gift to Obama

The EU will muddle through until after the U.S. election. **BY ROLAND POIRIER MARTINSSON**

September 12 was a momentous day for Europe. It saw three separate events that in a powerful way may come to remake the European Union.

First, Germany's Constitutional Court ruled that the nation's parliament can ratify a new, permanent rescue fund for the eurozone, called the European Stability Mechanism, to the tune of some \$645 billion in taxpayer money. The European Union would have been forced into an immediate financial crisis of unprecedented magnitude had the court declared the bailout illegal.

Second, in a controversial and high-minded speech, European Commission president José Manuel Barroso called for the EU to become "a federation of nation-states." Barroso announced that the European Commission will begin to craft a new treaty to fill the political void that has haunted the monetary union since its birth.

Third, voters in the Netherlands turned their backs on the democratically challenged parties of the extreme left and the xenophobic right and handed more seats to the classical liberal VVD and the social democratic PvdA—both pro-European establishment parties. The instinct of European voters in the face of economic crises might have been to turn anti-establishment. Instead, the Dutch election created

hope that the current disaster will not yield yet another existential challenge to democracy in Europe.

Furthermore, these three events took place five days after the European Central Bank (ECB) declared its intention to purchase, if need be, an unlimited amount of government bonds from the eurozone's crisis nations to keep down their borrowing costs. This open-ended pledge



*Our newer model will have fewer stars.*

was crucial for the financial markets' confidence in ECB's lasting commitment to Portugal, Italy, Greece, and Spain—the so-called PIGS—and led to stock market rallies on both sides of the Atlantic.

While the recent abominations in Egypt and Libya largely drowned out these events in the American media, they have been widely recognized in Europe as a possible turning point. Is this assessment justified?

In the short term, there is at least one reason for Europe to delight. An immediate effect of September 12 is that President Barack Obama almost

certainly no longer need worry that a European meltdown will upset his chances of reelection. Polls indicate that almost 90 percent of voters in most European countries favor Obama over Mitt Romney. While conservatives don't believe in large-scale conspiracies (society is too complex for them to succeed), the good news from Europe does bring to mind the rumor that Obama has asked sympathetic European leaders to avoid potentially harmful actions until after November 6.

But the judicial and political proceedings of September 12 do not tackle the long-term, fundamental political challenges to the European Union and the eurozone. They will, however, albeit unintentionally, achieve something else commendable: decisively expose the inherent and growing tensions within the EU that the political elites have scrambled to dodge or conceal for more than 20 years.

Already, reactions indicate that a final confrontation is brewing. When ECB president Mario Draghi pressed through his bond-buying scheme to save the euro, the German daily *Die Welt* headlined the news "Financial Markets Cheer the Death of the Bundesbank." The president of the Bundesbank, Jens Weidmann, described Draghi's plan as indistinguishable from printing banknotes to

balance the budgets of the eurozone's debt-ridden countries.

This lack of enthusiasm should come as no surprise. The inflation caused will harm the eurozone's diligent countries and add to their ongoing economic sacrifices on behalf of countries that have spent too much and worked too little. This is the price of defending the unpopular dream of a post-national Europe.

In the long run, there is only one politically sustainable way to convince German voters to bail out Portugal, Italy, Greece, and Spain—especially since their recovery moves

*Roland Poirier Martinsson is a Swedish author and philosopher in Austin, Texas.*

NEWS.COM

with the speed of a glacier—and that is to couple contributions with demands for structural reform and budget discipline. But as with Newtonian physics, such demands will meet a counterforce of corresponding strength. The recipient countries are being asked to sacrifice their sovereignty on the altar of European monetary stability; the stronger the restrictions, the stronger the domestic sentiment not to play along. Thus far, the inevitable showdown has been avoided, simply because the half-measures of all parties involved have been so insufficient. September 12, however, signifies that Europe finally is going all in to fulfill the dream of its political elite.

Barroso's bold proposal is, in effect, a declaration to form the United States of Europe. Predictably, among the responses to Barroso's speech were demands in England for a referendum on its secession from the union. For the first time in its history, serious debate is ensuing over which nations might leave the eurozone, or even the EU, or be forced to leave.

To date, the conflict between the eurozone's political leadership and its member states has been characterized by hard demands and soft resolve. Regulations have spelled out in strong language the requirements for each and every member state, with noticeable penalties for those who do not comply. The member states, in turn, have all but ignored the mandates for budget discipline. The eurozone's response has been to subsidize ill behavior: The short-term cost of enforcement has been too high.

The events of September 12 mean this inconsistency will no longer be tenable. President Obama will be able to meet the voters on November 6 without the burden of an immediate economic disaster in Europe. The next president of the United States will not be similarly spared. For the first time since the fall of the Berlin Wall, Europe will have a global impact. Odds are that once again it will be because of something falling apart. ♦

# It's Not Really a Farm Bill

It's a food stamp behemoth.

BY KATE HAVARD

**T**his week, Congress is under pressure to pass the 2012 farm bill before the current legislation expires on September 30. About every five years, Congress pushes through a farm bill, ostensibly a big bundle of agriculture subsidies that also funds food stamps. But the name is misleading. Nearly 80 percent of the \$1 trillion the 2012 bill would spend over the next 10 years would go to the food stamp program.

Food stamps originated in the Great Depression, when the federal government issued stamps to the poor and unemployed to "purchase" surplus foods. During World War II, the program was discontinued. Lyndon Johnson reintroduced it in 1964 as part of his War on Poverty. Starting in the late 1990s, paper stamps were phased out in favor of Electronic Benefit Transfer cards, essentially debit cards. In 2008, the program was renamed SNAP (Supplemental Nutrition Assistance Program) in order to help individuals avoid the stigma associated with the program.

Spending on food stamps has always increased steadily, but over the last decade it has exploded. From 2001 to 2006, the budget for food stamps doubled; by 2013, it will have quadrupled. And as of June, a record 46.6 million people were enrolled.

So, what's going on? Although many people are poorer now than they were 10 years ago, the growth of the food stamp rolls can't just be chalked up to an abysmal economy. Ten years ago, close to 12 percent of Americans lived below the official

poverty line; in June, that number was 15 percent. While the share of the population in poverty increased only 25 percent, spending on food assistance grew 400 percent.

A recent analysis by economist Diana Furchtgott-Roth of the Manhattan Institute found that while use of food stamps has always increased during recessions, growth tends to drop off, or at least slow, during recoveries. The recoveries of the 1980s saw decreases in the food stamp rolls. Thirty-six months into the recoveries of 1990 and 2001, food stamp usage had grown, but only 1.6 and 2.1 percentage points respectively. By contrast, three years after the recent recession, the share of the population on the SNAP rolls was up 3.5 percentage points.

The analysis also found that unemployment and food stamp participation "do not appear to have a strong relationship." Instead, "eligibility and other administrative standards," which vary from state to state, are better indicators. One constant: The food stamp participation rate exceeds the unemployment rate in 48 states.

"Perhaps most troubling is that the expansion in the SNAP program means that even when our economy returns to full activity and much lower unemployment, the food stamp benefits will not decline commensurately," wrote Furchtgott-Roth at Real Clear Markets. "Food stamps have become more of a permanent entitlement rather than a temporary stopgap for the temporarily unemployed."

The increase in food stamp enrollment comes after a decade during which federal guidelines for the program became ever more generous.

*Kate Havard is an editorial assistant at THE WEEKLY STANDARD.*

In 1996, welfare reform ended most legal immigrants' eligibility for food stamps. The 2002 farm bill reversed that and created incentives for increased enrollment. The 2008 farm bill raised the minimum benefit and further expanded eligibility, allowing recipients to deduct the full cost of childcare from their incomes to qualify for benefits.

Under President Obama, this trend has accelerated. Between January 2009 and June 2012, America lost a net 1.3 million jobs and added 15.1 million people to the food stamp rolls. The 2009 stimulus bill raised maximum food stamp benefits 13.6 percent and suspended time limits for jobless adults without dependents. Indeed, the Department of Agriculture and Democrats often cite food stamps as a form of stimulus. "Everyone wins when eligible people take advantage of benefits to which they are entitled," reads one USDA pamphlet.

Alabama senator Jeff Sessions, ranking member of the Senate Budget Committee, says SNAP is structured so as to maximize enrollment: "Right now under the program, all the money comes from the federal government, and the states administer it. That means the states have no incentive to curtail fraud and abuse."

On the contrary, states get bonuses for enrolling more people in SNAP, not for helping them get off. The federal government spends about \$50 million a year rewarding states for increasing enrollment. The extra cash doesn't have to be used for administering SNAP.

Recent briefing materials instruct USDA employees in strategies for persuading people to sign up even if they are initially reluctant; recruiters are taught to "overcome the word 'No.'" When one rural North Carolina office won a USDA "Gold Hunger Champions Award" for increasing enrollment, an employee was praised for "counteracting . . . mountain pride."

The Department of Agriculture ran a series of soap operas on Spanish-language radio to get the word about

SNAP out to Hispanics. In one such *novela*, a woman is mocked for saying, "I don't need anyone's help. My husband makes enough to take care of us." Eventually, she sees the error of her ways and signs up for food stamps. Ridiculed by Republicans, the ads were eventually pulled.

But since 2004, USDA has partnered with the Mexican government to increase SNAP enrollment among "Mexican nationals, migrant workers, and non-citizen immigrants" in the United States. Mexican consulates in this country even distribute information about food stamps.



*The farm bill at work in California*

Although adult illegal immigrants do not qualify for SNAP, it's likely that many are reaping the benefits of lax oversight. Some states do not require a Social Security number to receive benefits, and illegal immigrants can apply for SNAP on behalf of any lawful resident in their household.

With standards like this, it's easy to see how the program can be abused. Last summer, the Michigan Department of Human Services discovered that 30,000 college students, many of them middle class, were enrolled in the state's food stamp debit card system. Students received up to \$200 a month, costing the state \$75 million a year. While the state quickly tightened its rules, such instances of massive fraud have critics clamoring.

An amendment to the 2012 farm bill proposed by Senator Rand Paul (R-Ky.)

would have reformed the system by block granting SNAP funds to the states. "This puts the burden on them to really insure that the money is only going to the truly needy," Sessions said.

But Paul's amendment failed in the Democrat-controlled Senate. Democrats also rejected amendments to end "categorical eligibility," which allows some individuals whose assets exceed the usual limit to receive benefits. They also rejected amendments to end state bonuses for increasing enrollment and to close one infamous loophole.

Anyone who receives money from the Low Income Home Energy Assistance Program (LIHEAP) automatically qualifies for food stamps. Since the qualifications for LIHEAP are looser than those for SNAP, some states sneak people onto food stamps by enrolling them for token LIHEAP assistance (often less than a dollar a month). Fifteen states are now doing this, according to the Senate Budget Committee.

Democrats boast that the farm bill as passed by the Senate would trim \$4.5 billion from SNAP's \$800 billion over 10 years. They are less eager to advertise that the savings come from raising the minimum LIHEAP check to \$10 a month. This narrows, but does not close, the loophole.

Even this paltry adjustment was too much for Senator Kirsten Gillibrand (D-N.Y.), who accused Republicans and supportive Democrats of intolerable cruelty, saying, "As a mother and a lawmaker, watching a child go hungry is something I just will not stand for."

Sessions points out that closing the loophole "wouldn't have eliminated benefits for anyone who actually qualified" for subsidized home energy. But he says this kind of talk is intended "to deter good-government conservatives from making any kind of change."

The 2012 farm bill does include one reform, however: People who win the lottery will no longer be eligible for food stamps—even if they are unemployed and thus have no income. At last, something everyone can agree on. ♦

# Freedom Fighter

Peter Lougheed, 1928-2012.

BY KELLY JANE TORRANCE

A cerebral law professor takes his progressive ideas into politics and inspires a personality cult that catapults him to the highest office in the land. Encouraged by the heady mixture of popularity and power, he makes an unprecedented move to abuse his authority. It guts the federalism on which his nation was founded—but who can stop him? One man: a brash lawyer who declared the region he led would go on strike before it would submit to unconstitutional bullying.

That isn't wishful thinking about how Chris Christie might defeat Obamacare if the president is reelected. It really happened—in Canada, of all places. Americans might think their northern neighbor is defined by strong, centralized government. But Canada's parliamentary monarchy and America's presidential republic share a crucial element: Their federal systems allow states and provinces to defy centralized control.

Peter Lougheed died September 13 in a Calgary hospital that bears his name. His legacy won't be forgotten in Alberta, where he was premier from 1971 to 1985. But it should be better appreciated outside the province. It could serve as a model of defiance for any gutsy governor.

Edgar Peter Lougheed, born in Calgary on July 26, 1928, was a rarity in politics: He believed in gaining experience of the world before trying to change it. He started and ended his

first career while still an undergraduate at the University of Alberta—the 5'6" defensive back played professional football with the Edmonton Eskimos for two seasons. A formative experience in the oil industry came, surprisingly, during his brief time outside Alberta. He worked for Gulf Oil one summer in Oklahoma while acquiring a Harvard MBA.

He had always planned yet another career, in politics, but he never aspired to become prime minister. He shrewdly saw that the provinces held the real power. A consummate example of what is known in Canada as a Red Tory, Lougheed became leader of Alberta's Progressive Conservative party in 1965, before he was even elected a member of the Legislative Assembly—the party, at that time, didn't have a

single seat in the legislature. The Social Credit party had governed for three decades and held 60 of the 63 seats. In 1967, he and five other PCs won election. In 1971, he became Alberta's premier, ending one dynasty and starting another—the Progressive Conservatives have ruled the province ever since.

Those first half-dozen members were all from Calgary and Edmonton. Lougheed had to win over Alberta's farmers and oilmen to succeed. Ed Stelmach, premier from 2006 to 2011, remembered after Lougheed died the first time he heard the man speak, in a small-town community center. "He had that audience in his grip. He had total command. The thing is, he could relate to issues in rural Alberta as a Harvard-trained lawyer—he was not looked upon as a stuffed shirt," Stelmach told the *Edmonton Journal* "in



Peter Lougheed in 1975

an interview from his combine." "He was graceful, but he meant business. I knew he was going to be premier."

Trudeaumania hit the rest of the country the year after Lougheed was elected, and the stage was set: The two charismatic men would do battle in a hardnosed confrontation that epitomized Confederation itself.

Prime Minister Pierre Elliott Trudeau responded to the energy crises of the 1970s with the National Energy Program (NEP) in 1980. To an Easterner, it made perfect sense: Why should one side of the country suffer high oil prices while the other reaps record wealth? Trudeau capped domestic prices and mandated a greater share of oil revenues for the federal government. Albertans saw this, rightly, as a redistribution of wealth from Western to Eastern Canada—and a violation of the constitution, which gives jurisdiction over natural resources to the provinces in which they're found.

State leaders angry with President Obama's intrusion into health care filed lawsuits. Lougheed didn't leave his province's future solely in the hands of judges. Two days after Trudeau released the budget that included the NEP, Lougheed declared war in a televised address: "The Ottawa government has, without negotiation, without agreement, simply walked into our home and occupied the living room." He announced Alberta would reduce oil production to 85 percent of capacity. Trudeau hadn't expected such an offense from the former defensive back. After contentious negotiations, he backed down, agreeing to a compromise that eliminated the NEP's export tax on Alberta oil.

More important than the details of the deal—or its significance to the United States, which gets 15 percent of its oil imports from Alberta—was how the standoff changed the thinking of everyone in a highly regionalized nation. But the story of Peter Lougheed's defiance of the bald power grab of a politician contemptuous of the people shouldn't just remind Albertans, or even Canadians, of their rights. It should inspire every citizen of a federal state.

Kelly Jane Torrance, a native of Edmonton, is assistant managing editor at THE WEEKLY STANDARD.

NEWS.COM

---

# Obama's Palace Guard

*How media fact checkers made themselves of service  
to the president in the welfare reform debate*

---

BY MARK HEMINGWAY

Bill Clinton's address to the Democratic convention is widely seen as a pivotal moment in President Obama's reelection campaign. It was an undeniably powerful speech, but particularly noteworthy were his remarks about the popular and bipartisan 1996 welfare reform Clinton himself signed into law. As a result of the law, Americans were required to work as a condition of receiving welfare benefits, and could not receive benefits indefinitely. The reform shrank welfare rolls dramatically and remains wildly popular to this day.

Oddly for such a popular law—though one Barack Obama opposed—welfare reform has also been the source of a major political controversy over the last two months of campaign season. The Romney campaign has run ads accusing the Obama administration of taking actions that would seriously undermine the reform—allowing states to apply for waivers from the work requirements at the heart of the 1996 law. The Obama campaign and the media have fired back by accusing the Romney campaign of lying about what the administration did in order to foment racial tensions that would encourage working-class white voters to support Romney. Clinton's convention remarks on the subject neatly encapsulate the Democratic narrative:

The [Obama] administration agreed to give waivers to those governors and others only if they had a credible plan to increase employment by 20 percent and they could keep the waivers only if they did increase employment.

Now, did I make myself clear? The requirement was for more work, not less. . . .

But I am telling you, the claim that President Obama weakened welfare reform's work requirement is just not true.

But they keep on running ads claiming it.

You want to know why? Their campaign pollster said, "We are not going to let our campaign be dictated by fact-checkers."

When it's presented this way, the argument seems devastating. But almost nothing Clinton said is an honest

representation of what the Obama administration did to welfare's work requirements. The Romney campaign's accusation that Obama is gutting those requirements is accurate. It's also telling that Clinton is leaning on allegedly authoritative and independent media fact checkers for validation when their track record of partisanship and botching complex policy issues does not inspire confidence.

Here's what happened: On July 12, the Department of Health and Human Services released a policy document announcing it would grant waivers to states "in lieu of participation rate requirements" for welfare to work programs contained in the Temporary Assistance for Needy Families program. TANF—which replaced the old Aid to Families with Dependent Children (AFDC) program—requires of states that 30 to 40 percent of their welfare recipients engage in "work activities" for 20 to 30 hours a week. Unlike TANF, which has a narrow definition of "work" to keep the states from weaseling out of their obligations under the 1996 law, the language in the Obama administration's memo is vague, saying among other things that HHS is "interested in testing approaches that build on existing evidence on successful strategies for improving employment outcomes."

The same day HHS issued this document, Robert Rector—who helped draft the welfare to work requirements back in 1996 and has been called the "intellectual godfather" of welfare reform—cowrote a blog post at the Heritage Foundation, "Obama Guts Welfare Reform," explaining how the "Obama directive bludgeons the letter and intent of the actual reform legislation." Even though welfare rolls have dropped by 50 percent since the implementation of welfare reform, Rector pointed out that states in the past routinely tried to dodge the welfare to work requirements by defining "activities such as hula dancing, attending Weight Watchers, and bed rest as 'work.'" Rector also raised serious questions about whether HHS has the legal authority to issue such waivers. The work requirements in the 1996 welfare reform were specifically included in the legislation to make it impossible for them to be waived.

Following the HHS memo and Rector's response, the news that the Obama administration is undermining welfare reform started to percolate in conservative circles,

---

*Mark Hemingway is a senior writer at THE WEEKLY STANDARD.*

though the major media all but ignored the story. Members of the Obama administration “were telling the Associated Press and *USA Today* that it wasn’t a big deal,” Rector tells *THE WEEKLY STANDARD*.

Despite getting a pass from the mainstream media, the Department of Health and Human Services must have worried that the argument they were undermining welfare reform was legitimate and would gain traction. So on July 18, HHS Secretary Kathleen Sebelius sent a letter to Rep. Dave Camp (R-Mich.), chairman of the Ways and Means committee, clarifying that states seeking waivers would have to “commit that their proposals will move at least 20 percent more people from welfare to work.” This new requirement was not in the memo announcing the waivers, and could be reversed at the discretion of HHS.

In early August, the Romney campaign started running ads that echoed Rector’s critique, hitting the Obama administration for “gutting” welfare reform. Now that the issue was an electoral football, the media suddenly became interested. The issue was pounced on by “fact checkers” whose pride in sorting out such complex policy issues often exceeds their ability to do so. On August 7, PolitiFact gave the Romney ad its worst rating: “Pants on Fire!” The only direct source quoted in the piece was an expert at the left-leaning Center on Budget and Policy Priorities. PolitiFact didn’t mention that HHS had felt the need to try to tighten up waiver requirements in a separate letter after the fact, let alone express suspicion about why it might have done so.

PolitiFact did link to Rector’s blog post—but only to dismiss him. “Robert Rector, a welfare expert with the conservative Heritage Foundation, said it could ultimately allow ‘state bureaucrats’ to count activities that aren’t really work. We should point out that those concerns are at odds with the policy’s stated goal of encouraging employment.” In other words, PolitiFact said his concerns should be dismissed for no other reason than they are at odds with the Obama administration’s spin. PolitiFact didn’t even address the fact that Rector—who’s quoted in Romney’s ad—was the source of the charge the Obama administration is gutting welfare reform or that he helped write the welfare reform law. (They did reference an article Rector wrote for *National Review Online* and concluded that

he made “a noteworthy point” when he argued that the Obama administration doesn’t have the legal authority to waive the work requirements.)

Rather than engage in any critical discussion about the issue, PolitiFact regurgitated the HHS memo for the sole purpose of making the waivers sound benign. “The memo outlined, using the jargon of a federal bureaucracy, the kinds of waivers that would be considered. It suggested projects that ‘improve collaboration with the workforce and/or post-secondary education systems’ and ‘demonstrate strategies for more effectively serving individuals with disabilities,’ to give two examples.”



Let’s take that last example of accommodating workers with disabilities—please. It’s a classic bit of bureaucratic misdirection intended to make exemptions that undercut welfare work requirements sound reasonable. “There’s no one on TANF that’s disabled. If you’re disabled, you’re on another program called Supplemental Security Income,” Rector tells *THE WEEKLY STANDARD*. “In TANF, you should be able to work—but what the left likes to do is to create a nebulous category of TANF recipients who are disabled with these very cloudy, fuzzy definitions, and then the state can chunk essentially an unlimited part of its [welfare]

population into an exempt category. That has twofold consequences—now the state doesn’t have to do anything [to steer the exempted recipients into the workforce], but it can still maintain it has a high participation rate [in workfare programs]. If you have a 30 percent participation rate, and you exempt half the caseload, all of a sudden you can make it look like your participation rate went up.”

Which brings us to the other fantastical claim about HHS’s waivers—the idea cited by Bill Clinton that they would require more recipients to get jobs. Rector calls the idea that states would have to show a “20 percent increase in employment exits” the “oldest con game in welfare statistics. The number of employment exits [from welfare] is simply a function of the size of the caseload.” In other words, if employment exits from welfare programs are increasing, that’s usually an indication that the number of people on welfare is going up. There’s a large body of data confirming this correlation, and the reverse is also true. It

was a sign of welfare reform's success when the number of employment exits in the TANF program actually dropped. Over time, fewer people were exiting welfare because the size of America's welfare rolls had dwindled greatly. States that wanted to have work requirements waived would understand Sebelius's metric as an incentive to increase their welfare rolls.

The 20 percent increase in employment exits also amounts to requiring states to document a minuscule change. Writing in the *Washington Post* on September 6, Rector observes, "In the typical state, about 1.5 percent of the TANF caseload leaves the rolls each month because of employment. To be exempt from the federal work requirement, a state would have to raise that number to about 1.8 percent." He goes on to note that such a small increase could be created by creative recordkeeping or slight upticks in the economy.

Rector also makes another key point that's been absent from the debate over Obama's changes to welfare reform. While welfare reform is hailed as "bipartisan" because it was signed into law by Bill Clinton, many Democrats and prominent policy thinkers on the left only supported the law out of political expedience, and have remained ideologically hostile to it.

This isn't a closely guarded secret. Key personnel under Sebelius at HHS have a lengthy track record of opposing the 1996 welfare reform. Doug Steiger, for example, the deputy assistant secretary for legislation for human services at HHS, plays a significant role in shaping Obama administration welfare policy. Rector notes that Steiger used to work for Max Baucus, the Senate Finance Committee chairman, "and when TANF was going to be reauthorized in 2002, they put up a bill that manifestly had no federal work requirements in it at all. And he was very explicit that was their goal—there were to be no federal work requirements."

In 2001, Mark Greenberg coauthored an article with former Obama White House economist Jared Bernstein on the impending reauthorization of welfare reform. "Many progressives, ourselves included, fought hard against the program that passed in 1996. We judged it too punitive and too far from the spirit of progressive reform, which would have focused less on reducing caseloads and more on both promoting employment and improving the well-being of low-income families with children," they wrote. In the article, Greenberg and Bernstein conceded the legislation's success—"many of our fears have not been borne out"—however, they went on to fret that welfare reform would prove harmful to the poor in the case of an economic downturn, like the one we're in now. Mark Greenberg is currently deputy assistant secretary for policy administration for children and families at HHS, and again, in a position to be shaping welfare policy.

Then there's Sharon Parrott, counselor to the secretary for human services policy at HHS. To mark the tenth anniversary of welfare reform in 2006, Parrott coauthored a paper for the *Journal of Policy Analysis and Management* titled "TANF's Results Are More Mixed Than Is Often Understood." Rather than the commonly held view that welfare reform's work requirements are one of the most successful government reforms of our era, Parrott argues that because of welfare reform the "safety net for the poorest families with children has weakened dramatically." Parrott wrote this paper when she was director of the welfare reform and income support division at the Center on Budget and Policy Priorities, a job she held until joining the Obama administration. Contain your surprise, but that's the same liberal think tank PolitiFact went running to when they concluded Mitt Romney was lying about welfare reform.

Lastly, the *Washington Examiner's* Philip Klein recently reported on a new Congressional Research Service (CRS) report showing that Obama had already undermined the work requirements in welfare reform before this summer. One of the provisions in the law says an able-bodied adult without dependents will only be allowed to receive food stamps for three months out of a 36-month period unless that person "works at least 20 hours a week; participates in an employment and training program for at least 20 hours per week; or participates in a [Supplemental Nutrition Assistance Program] 'workfare' program for at least 20 hours per week." This requirement was suspended by the stimulus bill. It was supposed to be reinstated at the end of the 2010 fiscal year; Congress twice rejected the administration's attempt to extend the exemption. However, Obama has extended the waivers. "The law grants the executive the authority to do this in states where the unemployment rate is above 10 percent or there's a 'lack of sufficient jobs,'" notes Klein. The end result is that the number of able-bodied adults without dependents on food stamps more than doubled from 1.9 million in 2008 to 3.9 million in 2010, according to the CRS report.

To date, three PolitiFact columns have been written on the main welfare reform controversy—two concluding Republicans are lying, and a third concluding that Bill Clinton was telling the truth about Sebelius's misleading, garbage-in, garbage-out 20 percent metric. Factcheck.org and the *Washington Post* fact checker have also concluded that Republicans are not telling the truth about what the Obama administration did to welfare reform.

In order for "fact checkers" to swiftly, unanimously, and erroneously reach the wrong conclusion, they created a feedback loop, credulously taking at face value the

statements of the Obama administration and liberal policy experts, while systematically ignoring critical sources—including the primary source for the allegation the Obama administration is gutting welfare reform.

Though they've selectively and dismissively quoted him, Rector says PolitiFact has spoken to him only once, and that was about a tangential matter involving Republican governors who have requested welfare waivers. He's never been asked by any fact checking organizations "about the core argument, which is Obama gutting workfare," he says. One wonders whether the concerted effort to ignore Rector was because of or despite his unparalleled expertise and credibility on the topic. In PolitiFact's second and largely redundant ruling, they again go out of their way to sweep Rector under the rug: "Robert Rector, a welfare expert with the conservative Heritage Foundation, wrote that the new standards set a 'very weak or counterproductive measure of success.' But there's no evidence the Obama administration has changed its philosophy. Indeed, the goal of the policy is to boost employment. The HHS letter, in several places, says only proposals from states that 'improve employment outcomes' will be considered." Once again, they don't mention a single specific argument Rector makes, and then counter his criticism by taking the Obama administration flatly at its word.

THE WEEKLY STANDARD also spoke to the leading Republican welfare policy expert in the House of Representatives, Matt Weidinger, staff director of the Ways and Means subcommittee on welfare. He said he had never been contacted by a fact checking organization. Becky Shipp, an adviser for the Senate Finance Committee, known as the premiere GOP welfare geek in the upper chamber, also reports she hasn't been contacted by a media fact checker. Further, she tells THE WEEKLY STANDARD she went so far as to reach out to a fact checking organization to correct the record and never heard back.

Aside from their refusal to engage opposing arguments, fact checkers expressed no curiosity about why HHS felt the need to at least appear to toughen the requirements for welfare reform waivers after Rector's initial criticisms, or whether a 20 percent increase in people exiting welfare programs is a meaningful measure of success. And they didn't offer any historical context about the welfare reform debate or take so much as a cursory look at the people involved in welfare policy in the Obama administration, which would have cast serious doubt on the Obama administration's motives.

The result of all this is a textbook example of how

"fact checkers" corrupt political discourse. Once they all came down on the same side of the issue, the mainstream media quickly calcified the conclusion that Romney was wrong to accuse Obama of gutting welfare reform. Rather than report on the policy details, the media simply made it a campaign story and acted as a megaphone for Democratic partisans eager to charge that Republicans were inflaming racial tensions merely for arguing that the goal of welfare policy should be self-sufficiency. PolitiFact's second ruling on the issue concludes that the Romney campaign "inflames old resentments about able-bodied adults sitting around collecting public assistance. Pants on Fire!" This is vintage PolitiFact—nothing quite says you're committed to an unbiased evaluation of the facts like wild speculation about scurrilous motivations premised on your own misunderstanding.

Still, the false narrative that Romney is fomenting racial resentment to advance his campaign has had surprising durability. Thomas Edsall at the *New York Times* cited PolitiFact and *Washington Post* fact checker Glenn Kessler's criticisms before flatly declaring the "racial overtones of Romney's welfare ads are relatively explicit." On September 12, the *Boston Globe's* Washington bureau chief Christopher Rowland ran a nearly 1,200-word article that barely addressed the specific nature

of the policy disagreement and declared "the charge is false," citing "independent experts and media fact-checking organizations." The bulk of the article is then devoted to quoting Democrats such as Jesse Jackson Jr. on the Romney ad's "unspoken, racial subtext."

And those are just a few examples from news reporters—columnists and editorialists have been positively frothing. MSNBC's Chris Matthews got into an on-air shouting match with Republican National Committee chairman Reince Priebus at the Republican convention. "When you start talking about work requirements," he bellowed, "you know what game you're playing, and everybody knows what game you're playing: It's a race card." *Newsweek/Daily Beast* columnist Michael Tomasky marked the solemn occasion of September 11 with a column saying Romney's "dishonest welfare ads" were proof that he "hasn't been shy about using race," because this line of attack was more politically effective than previous Republican attempts to "demonize slatternly women or Latinos or gay people."

Rather than ask whether there is another side to the issue, the media have seemed interested only in demanding

---

**The fact checkers credulously took at face value the statements of the Obama administration and liberal policy experts, while ignoring critical sources.**

that the Romney campaign explain why they've ignored media criticisms that their welfare reform ads are untrue. After being goaded about this for nearly a month, Romney pollster Neil Newhouse finally commented: "These fact checkers come to those ads with their own sets of thoughts and beliefs. We're not going to let our campaign be dictated by fact checkers."

Naturally, the first sentence of Newhouse's statement was discarded when Obama himself started quoting the line in his stump speech. At a campaign stop in Charlottesville, Virginia, Obama told the crowd, "One of their campaign people said, 'We won't have the fact-checkers dictate our campaign. We will not let the truth get in the way.'" One small problem—Newhouse never said, "We will not let the truth get in the way." Oddly, no fact checking organization felt the need to weigh in and clarify that the president was lying while accusing the Romney campaign of lying.

But the president's use of the Newhouse quote is telling. *Daily Caller* blogger Mickey Kaus—perhaps the sole media voice to take seriously Rector's argument that the Obama administration is gutting welfare reform—notes that Bill Clinton told *Buzzfeed*, "Obama had asked him to make two modifications to [Clinton's convention] speech—one on Medicare and one on welfare—but wouldn't specify what they were." Based on the fact that both Clinton and Obama quoted Newhouse, that's a pretty good indication that Obama asked Clinton to go after Romney's welfare reform charge because he felt he was vulnerable to the criticism. Given that Obama was publicly opposed to the 1996 welfare reform, it might help to have the guy who signed it into law defend him.

Clinton was a good soldier and covered for the president in his Democratic convention speech. Sure, it was pretty bold to have a convicted perjurer and the man who famously told America, "I did not have sexual relations with that woman," make an extended argument for the Romney campaign's dishonesty—but Clinton had the fact checkers, if not the facts, on his side.

There are some signs that Rector's arguments are starting to be heard. A few days after the *Washington Post's* publication of Rector's September 6 op-ed titled "How Obama has gutted welfare reform," *Washington Post* fact checker Glenn Kessler revisited the welfare reform issue. He'd already given the Romney welfare ad a rating of "four Pinocchios." To his credit, Kessler ended up giving Bill Clinton a rating of "two Pinocchios" for his welfare reform remarks at the Democratic convention citing Sebelius's 20 percent requirement—and for exactly the same reasons that Rector pointed out. "[O]fficials would tout that 15 percent of recipients had left the rolls, without

acknowledging that the overall welfare population had grown by 20 percent," Kessler wrote. "One former top welfare official said he could easily meet the administration's requirements by more assiduously tracking people who found jobs but did not inform the welfare agency."

Bizarrely, though, Kessler still stands by his original judgment of giving Romney four Pinocchios for saying Obama has gutted welfare reform. How one concludes that substituting Sebelius's 20 percent metric for current work requirements is bogus, but still argues that this doesn't seriously undermine welfare reform requires being comfortable with a level of cognitive dissonance that only professional "fact checkers" seem willing to tolerate.

Rector for his part is not at all surprised by the low level of diligence the media have shown in covering welfare policy. He notes that left-wing critics have always considered the 1996 welfare reform racist. A near-parodic 2002 essay by prominent left-wing journalist Barbara Ehrenreich began, "It was hard to miss the racism and misogyny that helped motivate welfare reform, which is about to come up for reauthorization by Congress. The stereotype of the welfare recipient—lazy, overweight, and endlessly fecund—had been a coded way of talking about African Americans at least since George Wallace's 1968 presidential campaign."

Rector also points out that only one side of the debate is trying to hide its views—and it's not Republicans. Opposition to welfare reform is "so unpopular that everything [opponents] do has to be coded so that they, too, can appear to be in favor of tough work requirements," he says. A July Rasmussen poll taken the week after HHS announced the waiver program found that 83 percent of Americans favor the idea that "those who do receive welfare benefits should be required to work," and only 7 percent are opposed.

As for the media malpractice, Rector notes that the press didn't report on how Democrats tried to gut welfare reform when it was up for renewal in 2002 either. And that was before "fact checkers" had arrived on the scene.

"I've been doing politics for over 30 years, and the mainstream media always completely ignores or distorts any issue I've ever written about. The 'fact checking' is a bizarre add-on to that distortion. It's even a little bit worse," Rector says. He's deservedly dismissive of the knowledge "fact checkers" bring to the table in discussing complex policy details. "I don't think the fact checkers have that much data on AFDC employment exits between 1980 and 1996. They're probably a little short on that," he says dryly.

In the end, Rector thinks he knows why he hasn't been contacted by fact checkers. "They didn't want the answer. . . . If they really wanted the answer, all they had to do was pick up the phone and I would talk to them until they would fall asleep," he says. "I have the lowest possible expectations for these people." ♦

# Supremely Overdue

*With Fisher v. University of Texas, the High Court can finally put an end to racial preferences in university admissions*

BY CARL COHEN

**A**bigail Fisher, a white applicant to the University of Texas, contends that the university, in giving preference to minority applicants while rejecting her, discriminated against her unlawfully because of her color. The Supreme Court will hear the case this fall; it is likely that Fisher will prevail. The Texas 10 percent law and the special circumstances of that university present complications, of course, but the makeup of the Supreme Court today differs importantly from that of the Court that decided *Grutter v. Bollinger* in 2003, which authorized universities to use race in admissions in some circumstances.

But how will Fisher prevail? Put another way, how much of *Grutter* will remain standing when this decision comes down? Might *Grutter* be flatly overturned? Many fervently hope for that, and I am among them. *Grutter v. Bollinger* is one of those decisions that were wrong on the day they were decided; it is the *Plessy* case of the 21st century. *Fisher v. University of Texas* is a fine vehicle with which the Court may put *Grutter* into the dustbin of history, where in any case it is very likely to go before long.

In support of Fisher, 17 and one half amicus briefs have been put before the Supreme Court. Every one of them is powerfully argued and penetrating in its way. Without pretending to do full justice to each of those briefs, I here offer as fair and balanced a review of them as I am able, given the unavoidable use of categories and summaries.

First, a number of the briefs call for the outright reversal of *Grutter v. Bollinger*. The Texas Association of Scholars puts this best, perhaps, when it says forthrightly: “Racial preferences of any type, and irrespective of the motivation for their use, are unconstitutional under all circumstances.” That wise spirit is echoed repeatedly, and

in every case defended eloquently: “Racial categories are arbitrary and ultimately incoherent” (American Center for Law and Justice); “The Equal Protection Clause prohibits classifications of individuals based on race except in the rarest of circumstances,” and therefore “a governmental racial classification is presumptively invalid and may be upheld only upon a showing of extraordinary justification” (Mountain States Legal Foundation); “Race and ethnically-based admissions policies are crude, inherently ambiguous, and unsound constructs that can never be narrowly tailored to further a compelling interest in diversity” (Judicial Watch and Allied Educational Foundation); “The use of race-conscious policies in pursuit of a non-remedial interest, like the interest in ‘diversity’ approved in *Grutter v. Bollinger*, violates the principle of equal opportunity for military personnel” (Allen B. West, member of Congress and lieutenant colonel, U.S. Army, ret.). Summing it all up quite pithily is the statement of the American Civil Rights Union, “The time has come to end racial preferences in college admissions.”

Second, it is entirely possible, perhaps even probable, that the Court will find for Fisher on narrower grounds. In *Grutter* it was made plain that universities ought to rely upon race-neutral alternatives if they can by so doing achieve the appropriate objective. Texas had enacted a law ensuring admission to the University of Texas to the top 10 percent of every high school graduating class in Texas, and had achieved thereby a degree of racial diversity at UT greater than that achieved earlier using preferences. That settles the matter without overturning *Grutter*, according to a brief submitted by the group Current and Former Federal Civil Rights Officials: “The legislature’s 10 percent plan was an effective race-neutral alternative.”

Third, other minorities, Asian Americans and Indian Americans especially, are seriously discriminated against by the preferences used at the University of Texas. Their voices are raised very effectively in some of the amicus briefs submitted. The Asian American Legal Foundation and the Judicial Education Project write: “Racial diversity programs discriminate against Asian-American



Abigail Fisher

---

*Carl Cohen is a professor of philosophy at the University of Michigan. He was a leading advocate of the initiative resulting in the amendment of the Michigan constitution to forbid preference by race or ethnicity by public institutions.*

individuals by treating them as members of an overrepresented and hence disfavored race”; and, moreover, “Discrimination against Asian-American individuals in order to benefit other races is odious and demeaning to individual students.” Yes, odious and demeaning is just what it is. A group of five organizations including the National Federation of Indian American Associations, the Indian American Forum for Political Education, and the Global Organization of People of Indian Origin contends that race is frequently “a decisive factor in college admissions, most greatly disadvantaging fully qualified Asian American students.” This group, joined by the Louis D. Brandeis Center for Human Rights Under Law, presents and defends the painfully telling point that “The pretexts employed to limit Asian American School Enrollment are indistinguishable from those utilized to impose quotas against Jews throughout much of the past century.” Touché!

**F**ourth, the University of Michigan hornswoggled the Supreme Court in 2003 by insisting that its law school never used numbers or percentages in preferring minorities, but was seeking nothing more than “a critical mass” of minority students. It was a clever and successful dodge. Chief Justice William Rehnquist, in his *Grutter* dissent, examined the numbers closely and demonstrated, with a clarity that ought to have embarrassed my university, that this position was an outright “sham.” Now in the amicus briefs in *Fisher* the “critical mass” theory gets a solid drubbing. Twenty-two distinguished scholars of economics and statistics from many universities join in one brief arguing that empirical evidence simply does not demonstrate “that minority students are benefited by a ‘critical mass’ of minorities in the classroom.” Indeed, they conclude, “No reliable empirical evidence known to [these] amici supports the critical mass theory.”

They go on to present, in a detailed appendix, sets of comparisons of the performance of blacks and whites in classrooms of different sizes with different numbers of each. The “critical mass” theory is statistically demolished. The theoretical demolition is provided by the Mountain States Legal Foundation, reaching this conclusion: “‘Critical mass,’ like societal discrimination, is an amorphous and indefinable concept that cannot be addressed by a narrowly tailored remedy.”

Fifth, one of the most infuriating aspects of the *Grutter* decision was the way in which the Court deferred to the University of Michigan, accepting its account of its needs without good evidence. Again in *Fisher* the Fifth U.S. Circuit Court of Appeals accepted the mere declaration of the University of Texas of its need for classroom diversity to achieve its educational mission. But, as the Southeastern Legal Foundation points out, the Supreme Court has previously

been consistent in applying the “strong basis in evidence” test where racial classifications have been employed, and “Institutions of higher education are not immune from the obligation to show a strong basis in evidence,” which Texas surely has not done. The Cato Institute, in its brief, gives this argument powerful support, showing that “The concerns motivating the strong-basis-in-evidence requirement apply with special force to universities’ use of racial classifications to achieve diversity. . . . A university must demonstrate by a ‘strong basis in evidence’ that its use of racial classifications is necessary to achieve a compelling interest.” No such basis in evidence has been provided. The University of Texas has not sustained, and cannot sustain, its burden of proof.

The history of university conduct in this sphere underscores this requirement, and this point is made with quiet drama by the brief of the Center for Individual Rights, the group that carried (along with the Maslon law firm in Minneapolis) the years-long burden of the Michigan cases. The CIR points out that the Supreme Court’s current ‘narrow tailoring’ jurisprudence “encourages stealth.” Universities behave deviously, advancing their objectives (in the words of Justice Ruth Bader Ginsburg) with “winks, nods, and disguises.” Their declarations are not to be trusted, certainly ought not be deferred to. “Experience with racial preference by universities,” contends the Center for Individual Rights—which has had more such experience than any other organization—“further militates in favor of a searching strict scrutiny.” Yes it does; and such scrutiny was almost entirely absent in *Grutter* as also in *Fisher*.

The ugly history of racial discrimination in higher education is examined perceptively in the brief of the California Association of Scholars (joined by the Center for Constitutional Jurisprudence, the Reason Foundation, the Individual Rights Foundation, and the American Civil Rights Foundation). That history, they point out, renders higher education “an unlikely recipient of the Court’s deference on issues of race.” This brief also explores the very special circumstances under which the uses of race may be found rightly “compelling”—circumstances certainly not realized in the *Fisher* case.

**S**ixth, the most powerful of all the amicus briefs are those that marshal the evidence—copious, detailed, and reliable evidence—that simply cuts the ground from under the *Grutter* decision. That decision was based entirely on the Court’s belief that diversity was a central and absolutely compelling need for the University of Michigan and for all universities. Diversity, that decision concluded, was not simply a good thing, but a thing so absolutely necessary that even the temporary abandonment of the Equal Protection Clause of the Fourteenth Amendment must be allowed in order to achieve it. But this is hogwash. The

Court in *Grutter* was bamboozled. Several of the current amicus briefs point that out with cool ferocity.

The brief of Abigail Thernstrom, Stephan Thernstrom, Althea Nagai, and Russell Nieli is nothing short of dynamite. With a careful review of the evidence presented by distinguished, reliable, and impartial social scientists, they prove how incredibly mistaken the premise of that argument was. They examine all that is known about diversity and its impact, and they conclude, without reservation, that the previously supposed merits of diversity are illusory, without foundation. They show that in fact we can now be confident that diversity has consequences almost the reverse of those the Court had supposed. Their quiet language belies the explosive impact of their findings. “The primary justifications for the use of race-based preferences in higher education admissions that the Court relied on in *Grutter* are flawed and fail to support the notion that there is a compelling state interest in diversity in higher education.” They go on to demonstrate the truth of a claim that I have myself been defending for years, on the basis of long experience at the University of Michigan: “The mere fact that racial diversity increases contact between students of different races does not improve race relations among students.” That’s right; it does not.

An unusual but very informative brief has been submitted by Richard Sander and Stuart Taylor Jr.—in support of neither party! Hence I report that the number of briefs in Abigail Fisher’s support is 17 and one half. But this half is important. Sander reports: “Social science research has undermined the central assumption underlying all racial preference programs in higher education admissions: that they are good for the intended beneficiaries.”

Rick Sander is my friend, a fine statistician as well as a professor of law at UCLA. He long ago published an influential essay in which he demonstrated statistically that minority students who, by dint of preference, enroll in law schools to which they would not otherwise have been accepted suffer markedly as a result. They do less well in school, and they prosper less in their subsequent professional lives, than would have been the case had they attended schools for which they were indeed qualified. The artificial mismatch created by affirmative action results in lower class rankings, inferior professional appointments, and substantial injury to their careers. This theme is defended in detail in his amicus brief: “Key assumptions accepted by the Court below are doubtful: Evidence suggests that large racial preferences add little classroom diversity and do not

make the university more attractive to minority candidates.”

An allied and penetrating explanation of some of the negative consequences of race-preferential admission is presented by three members of the U.S. Commission on Civil Rights: Gail Heriot (my personal heroine), Peter Kirsanow, and Todd Gaziano. They marshal scientific evidence showing that race-preferential admissions, although “intended to facilitate the entry of minorities into higher education and eventually into high-prestige careers,” do the opposite. Such preferences “have the effect of discouraging preference beneficiaries from pursuing science and engineering careers, . . . discouraging minority students from becoming college professors, . . . [and] decreasing the number of minority students who graduate and pass the bar.”

Finally, there is the one brief that is most persuasive overall, that of the Pacific Legal Foundation, the American Civil Rights Institute, the National Association of Scholars, and the Center for Equal Opportunity, whose president, Roget Clegg, is the most penetrating, knowledgeable, and tenacious of all current opponents of race preferences. This brief argues, along with the Thernstroms

and others, that “the benefits that flow from a diverse student body are highly dubious.” But more than all the others, this brief underscores the negatives, explaining with care and depth why “the costs attendant to racial classification outweigh any benefits that flow from a diverse student body. Government racial classifications are destructive of democratic society; government racial classifications dehumanize us as individuals; racial preferences in college admissions cause serious harm to the very students the preferences are intended to benefit.” No rational person can read this eloquent set of arguments thoughtfully and continue to suppose that racial preferences for the sake of diversity are a good thing. They are poison.

The Pacific Legal Foundation, the ACRI, the NAS, and the Center for Equal Opportunity conclude, appropriately, by explaining why the principles of *stare decisis*, worthy of great respect of course, “do not support the preservation of the highly flawed *Grutter* decision.”

These, then, are the principal arguments of the amicus briefs. I will be forgiven, I trust, if I formulate two arguments that are implicit throughout and that deserve explicit emphasis.

First, racial classifications are appraised by the federal courts with “strict scrutiny.” Under this high standard, a racial classification, if it is to be permitted, must be “necessary to further a compelling governmental interest.” When

---

**No rational person can read these arguments thoughtfully and continue to suppose that racial preferences for the sake of diversity are a good thing. They are poison.**

does a state interest become “compelling”? The concept of a compelling interest deserves reflection.

There may be occasions on which a state is obliged to use racial classifications because, in the light of the racially discriminatory history within some institution, there is no other way in which to give appropriate recompense for the racial injuries earlier done. In such circumstances the use of race may indeed be compelling, because if the state is to do justice, as it is morally obliged to do, there is no alternative. It is that recognition of unavoidable moral obligation that brings the concept of compulsion into this arena.

With this clearer view of the concept of a “compelling state interest,” we can see that a program that offers educational advantages, even if those are substantial advantages, cannot be compelling in the moral sense. There may be rare exceptions in extraordinary circumstances, but the state’s use of racial classification, departing from the Equal Protection Clause, can in general be justified only by some moral compulsion. This explains why the justifiable uses of race have almost invariably been in remedial circumstances, righting identifiable wrongs. It also helps to explain why using racial categories to avert supposed dangers (as when Japanese-American citizens were ordered into internment camps during World War II) is so deeply offensive.

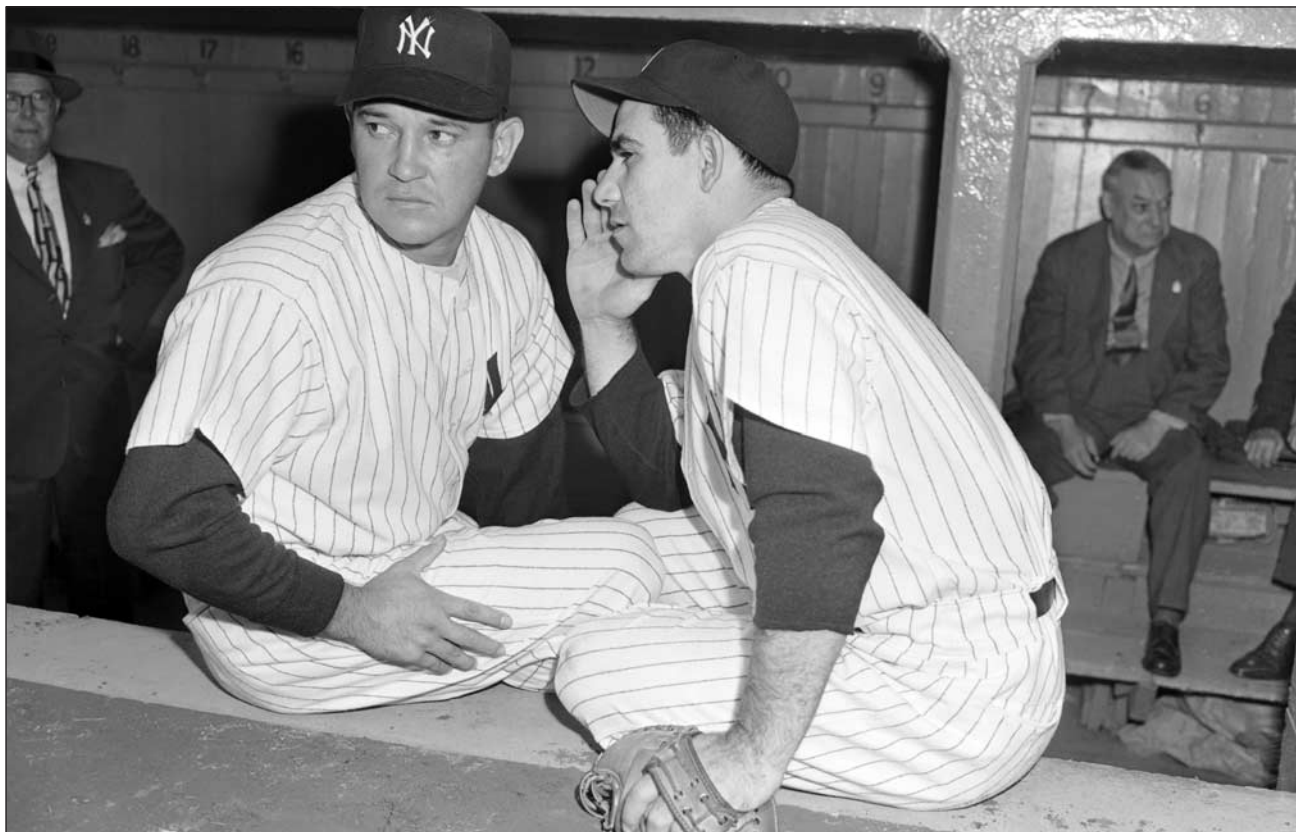
Second, even if one grants *arguendo* (as I surely do not grant in fact) that there really are substantial merits flowing from diversity in an entering university class, the many undeniable negative consequences inherent in racial categorizing must be weighed against them, as the brief of the Pacific Legal Foundation, et al., makes clear. After that weighing, it is only the residual balance of the two that can serve as a defense of the diversity rationale. Because those negative consequences are in fact grave, the residuum on the side of the diversity rationale is certainly slight, if there is any residuum at all. And it is that residuum of advantage (if any) that must be accepted as compelling if the rationale is to succeed. It is (in sum) the results all things considered that must be compelling for that diversity rationale to be persuasive. Yet that outcome, on balance, is probably negative.

If there are any residual advantages of diversity all things considered (which in my view is not the case), they cannot be morally compelling. The diversity rationale must therefore fail even if the weighing of advantages and disadvantages were to result in a positive outcome for diversity. To call diversity “compelling” in the context of state action is a category mistake. *Fisher v. University of Texas* gives the United States Supreme Court an opportunity to correct this unfortunate error. ♦

# The Obama You Don't Know

Don't miss The Washington Examiner special report  
online at [washingtonexaminer.com/obama](http://washingtonexaminer.com/obama)





Yogi ('You can observe a lot by watching') Berra whispers to pitcher Allie Reynolds, 1951.

# Wisdom of the Age

*Words to live by—at the moment.* BY JAMES BOWMAN

**M**odern proverbs" is surely a contradiction in terms—unless "modern" is being used in its unmodern sense of "commonplace," as in Shakespeare's "wise saws and modern instances." The word "proverb" inevitably connotes the idea of age and seasoning—wisdom that has been tried by time. Indeed, a proverb is usually so old that its original author is unknown.

What has such a weathered artifact to do with the linguistic ephemera of

**The Dictionary  
of Modern Proverbs**  
edited by Charles Clay Doyle,  
Wolfgang Mieder, and Fred R. Shapiro  
Yale, 312 pp., \$35

popular culture collected by Charles C. Doyle and company from 20th-century authors under the title of *The Dictionary of Modern Proverbs*? The best you can say is that some of them (but by no means all) are aspirational proverbs—proverbs only if they stick around for a few hundred years, as very few of them seem likely to do. For although this *florilegium* is not quite devoid of wit, wisdom, or concision, the selection is short enough of these qualities that it has had to rely on a

large number of decidedly second- and even third-rate examples to make up the volume.

Even the better ones seem to be more clichés or catchphrases, or cliché catchphrases, than proverbs in any recognizable sense of the term. Many are banalities or mere vulgarisms: "Take (Grab) the bull (life, the world) by the balls" inspires the rejoinder, "You first." The editors claim that "Life comes at you fast," identified only as the Nationwide Insurance slogan since 2004, has "probably entered oral tradition as a proverb," though they offer no example of such use. I would be surprised if they could find one. And then there's "Gas, grass, or ass: Nobody rides for free." There's one that's thankfully

BETTMANN / CORBIS / AP IMAGES

*James Bowman, the author of Honor, A History and Media Madness: The Corruption of Our Political Culture, is a resident scholar at the Ethics and Public Policy Center.*

unlikely to survive the 21st century.

And if they do last, how shaming it will be to our age—by then long dead and gone, of course—to have contributed nothing better than the likes of “Sh— (Stuff) happens” to the language’s treasure hoard. Still, I suppose that it is useful to know that such banality (in its “stuff” form, naturally) dates back as far as the 1930s, with the *Vic and Sade* radio show. If most of the misnamed proverbs herein are pretty feeble stuff qua proverbs, they do present us with portraits of our contemporary culture and the American English vernacular.

The pleasure of tracing familiar sayings back to their sources is unaffected by their proverbial character, or the lack of it. There are some surprising attributions. “When all else fails, pray” seems to have been first said by Henry Miller, of all people. The therapeutic nostrum “Fake it till you make it” comes, apparently, from the *Annis-ton* (Ala.) *Star* in 1972. It is good if disappointing to learn that “A billion here and a billion there, and by and by it begins to mount up into money” can be traced to a filler item in a 1938 *New York Times* issue, which makes it most unlikely that the late, great Sen. Everett Dirksen said it first.

I didn’t know that “Be all you can be” was originally followed by “Read,” and was a slogan for National Library Week in 1968. And who would have thought that “Let it all hang out” was from Jim Brosnan’s *Pennant Race* of 1962? It appears that what was originally hanging out was a pitcher’s “stuff,” in the baseball sense.

Some we thought we knew have unfamiliar origins: Charles S. Harris, we are told, claims to have coined the expression “A man without faith is like a fish without a bicycle” in the *Swarthmore* (Pa.) *Phoenix* in 1958. The more familiar feminist version, “A woman without a man is like a fish without a bicycle,” is associated with Gloria Steinem; but she disclaims credit for it, attributing it instead to the Australian writer Irina Dunn and dating it to 1970. Apparently, this date could not be verified, though, as the earliest example found by the editors dates

from 1976 in the *Corpus Christi Times*. *The Dictionary*’s editors go on to suggest that the expression, clearly more a slogan than a proverb, “originated as an anti-proverb patterned after ‘A woman without a man is like a handle without a pan,’” which antedates the 20th century.

This idea of “anti-proverbs” is a bit dubious. “Love thy neighbor, but don’t get caught” belongs back on the wall of the men’s room where the *Washington Post* in 1967 claimed to have found it, not be-garlanded with the dignity of an “anti-proverb.” Nor are those which might deserve this status always identified as such. “If it doesn’t fit, you must acquit” is listed as a proverb, but it would be better described as an anti-proverb, since it memorializes what was regarded as a false acquittal and is unlikely ever to be used unironically again. “Can’t we all just get along?” is identified as a misquotation of “Can we all get along?” by the late Rodney King, but we aren’t told that its use as a catchphrase is now also ironic and meant to mock a naïve belief in easy solutions to social conflicts.

The editors aren’t really telling us anything we don’t know when they say that “‘When you’ve got it, flaunt it’ . . . may have entered oral tradition as a proverb from the motion picture *The Producers* . . . or the character in the movie may have been uttering a proverb.” I guess we’ll never know. In the same way, “‘When you’re hot, you’re hot (and when you’re not, you’re not)’ . . . may have entered oral tradition as a proverb from a song by Jerry Reed”—or maybe Jerry Reed heard it from someone else first. Too bad nobody thought to ask him before he died four years ago. But it seems unlikely that “When you fall off a horse, get right back on another” could date only from 1962—not least because the supposedly original quotation (in *Negro Digest* regarding boxer Emile Griffiths and his subsequent career after killing Benny Paret in the ring) makes clear that it is quoting someone else.

On the other hand, it is worth

something to know that the journalistic maxim “One picture is worth a thousand words” was coined by the grandfather of a recent public editor of the *New York Times*, also called Arthur Brisbane, a legendary editor of New York newspapers for Joseph Pulitzer and William Randolph Hearst. I’m even more pleased to learn that “It is better to be thought a fool than to open your mouth and let the world know it” is *not*, as I thought, by Mark Twain, nor yet by Abraham Lincoln or Samuel Johnson, but by Maurice Switzer—someone so obscure he doesn’t even have a Wikipedia entry—in his humorous miscellany of 1907, mostly based on children’s rhymes, titled *Mrs. Goose, Her Book*.

By the way, Switzer’s original maxim—and all the subsequently cited variations of it—include what I would have thought the rather essential first clause (“It is better to remain silent. . .”), while the editors’ much less pithy but paradigmatic version of the “proverb” does not. It’s not the only instance of the editors’ poor collective ear for the native woodnotes wild of the popular culture, which may also have something to do with their politics. Here you will find: “A conservative is a liberal who has been mugged” and “A liberal is a conservative who has been arrested,” the former dating from 1973. But there is no mention of the now surely better-known witticism of Irving Kristol, that a neoconservative is a liberal who has been mugged by reality.

Even more oddly, they make no mention of Gary Hart or Walter Mondale in connection with “Where’s the beef?” which is identified as having “entered oral tradition as a proverb from an advertising slogan for Wendy’s hamburgers.” Well, yes—but who remembers it in connection with hamburgers and not as one of the rare instances when a single satirical question could be said to have ended a political candidacy?

“Everybody lies about sex” is dated to Robert Heinlein’s *Time Enough for Love: The Lives of Lazarus Long* (1973), but there is no mention of Bill Clinton, whose lies about sex are likely to

be the occasion of most people's recognition of the expression, if they do recognize it. "Strong and wrong beats weak and right," though it dates from 1912, is said "in recent times" to have been "often attributed to Bill Clinton." But the editors then go on to say it refers "specifically to the election of President George W. Bush in 2002." Of course, the second President Bush was elected in 2000, and his predecessor was referring not to him but to Republican gains in the midterm elections two years later, thought to have been influenced by the administration's strong (and supposedly "wrong") response to 9/11.

The best things in the volume, as in most of this kind, are nuggets turned up at random. "Everyone can't be first" apparently comes from Oliver St. John Gogarty's *Start from Somewhere Else* (1955), in which he tells the following story of Mayor Jimmy Walker of New York (1881-1946): Invited to speak at a lunch in Cuba, Walker overslept and, arriving late, apologized by saying: "After all, everyone can't be first: George Washington married a widow." (The editors suggest that "the anecdote may be apocryphal.")

Under "If it ain't broke, don't fix it," we learn that the expression dates to a 1960 article in *Signal*, a publication of the Armed Forces Communications Association, by one L. C. Sheetz, titled "Is Communications Reliability Possible?" There, as "a facetious footnote" to Murphy's Law (not included in the *Dictionary*), which he attributed to "M/Sgt Murphy, a crew chief of many years experience," Sheetz added the following:

Although originally advanced in connection with aircraft maintenance, subsequent investigations by M/Sgts Shultz, Cohen and Dabnovich have proven its applicability to C-E [communications electronics]. The latter, by the way, is the author of the Dabnovich axiom, "If it works, don't fix it."

The editors helpfully comment that "presumably M/Sgt Dabnovich is fictional." They offer no opinion as to the existence of M/Sgt Murphy. ♦

BCA

# Power in Play

*How to get it, keep it, and take it away.*

BY DANIEL LEE

There's been an Orange Revolution in Ukraine, a Rose Revolution in Georgia, and a Jasmine Revolution in Tunisia that helped launch last year's Arab Spring. Is democracy sweeping the globe at last? Well—not yet, according to our author, a former editor at *Foreign Policy* who has been doing some globe-sweeping of his own (93,000 miles, give or take) over several years spent reporting for this volume.

"Today's dictators and authoritarians are far more sophisticated, savvy, and nimble than they once were," writes William J. Dobson. "[T]he smartest among them neither hardened their regimes into police states nor closed themselves off from the world; instead, they learned and adapted."

Dobson has interviewed scores of protesters, security experts, opposition political candidates, elite power brokers, and a former Egyptian police officer who, from his computer in the United States, guided protesters occupying Tahrir Square. He sipped tea with a fellow who wants only to improve his shanty, barely clinging to the steep hill-sides of Hugo Chávez's Caracas. As a result, the reader gets a wide-ranging overview of political strife as we live it now, from Syrian Internet video to Chinese Internet shutdowns, from street battles in Tunis to street theater in Cairo.

There's no argument here that truncheons and tear gas have been retired; merely that modern authoritarians now understand that Internet clips of street mêlées can lead to NATO airstrikes on their compounds. In Venezuela, Chávez allows elections, but strips winning opposition candidates

*Daniel Lee is a writer in Indiana.*

## The Dictator's Learning Curve

*Inside the Global Battle for Democracy*

by William J. Dobson

Doubleday, 352 pp., \$28.95



*Hugo Chávez and prop, 2012*

of power, funds, and even office space. Vladimir Putin's government in Moscow is so sharply attuned to the power of youth movements that it started its own, called Nashi. And Dobson describes a street-cleaning truck sent to spray and scrub a certain Chinese intersection for hours, discouraging a planned demonstration with the threat of a vigorous wash and rinse.

"Twenty-first-century authoritarians crave the type of legitimacy that only the law can provide," he says. Consequently, Russian officials target politically active nongovernmental

NEWS.COM

organizations with a sort of bureaucratic bluff: inspections, document audits, and evaluation of groups' actions in the light of "Russian 'interests.'" If an NGO focuses on civil liberties, it may find itself "targeted for tax audits, building code violations, or the use of pirated software." But that can cut both ways: Officials may try to finesse the rule of law in order to sustain the illusion of legitimacy, writes Dobson, "but by acting as if these legal fictions are genuine, [activists] can stymie a regime's efforts to run roughshod over its citizenry."

In fact, Dobson spends as much time here talking about resistance movements' learning curves as those of dictators. He describes protest seminars hosted by members of the Serbian youth movement that helped oust Slobodan Milosevic, partly by way of creative tactics like releasing turkeys in the street sporting on their heads the flower favored by Milosevic's wife. The regime's dignity suffered, along with its credibility. And police officers forced into a turkey rodeo in front of a laughing populace may not be quick to defend the regime at crunch time. Do enough of this, and people may well decide that the regime can and perhaps should be pestered, punished, even overthrown, by the simple expedient of withholding their cooperation at critical moments.

That can mean a lot of back-and-forth: Demonstrators coordinate via Facebook, say, and the regime reacts by shutting down the Internet; dictators intimidate or control media outlets, and protesters respond with graffiti, general strikes, and passive resistance. But like pathogens mutating their way around new antibiotics, it does seem that what doesn't kill dictators tends to make them stronger—at least in Dobson's new era of smarter, faster, leaner autocrats. Or perhaps not.

Critical moments can result from the very same adaptations and tactics the regimes have come to depend upon to defang the opposition. In 2005, Hosni Mubarak decided to allow a presidential election that included an actual opponent instead of the usual yes-or-no on Mubarak

himself. Of course, he won, and the other candidate ended up in prison; but "in allowing even a sham contest, the regime had made another vital concession in its bid to remain in power," writes Dobson.

So where does that leave the "sophisticated, savvy, and nimble" dictators of Dobson's thesis? Are they solidifying their power, or undermining it? Perhaps both:

There is some academic debate whether a false political opening like Egypt's can at some point become less

a survival strategy and more a permanent condition, a limbo between autocracy and genuine democracy. It's an unsettled question.

The Chinese government faces widespread contempt and unrest because of local government officials, despite economic reforms and a booming economy. In Egypt, the fall of Mubarak and rise of the Muslim Brotherhood has led to more, not less, uncertainty and violence. In Syria, the battle continues. In Iran, ominous silence as the centrifuges come up to speed. ♦



# Wars of Words

*Dividing the world into prescriptivists and descriptivists.* BY DAVID SKINNER

**T**he fifth edition of the *American Heritage Dictionary*, published by Houghton Mifflin, was released last fall. In the typecast world of dictionary publishing, *American Heritage* is the "conservative" dictionary. Developed in the 1960s in the wake of company president James Parton's failed attempt to wrest control of the G. and C. Merriam Co., which had recently become notorious for the publication of the "permissive" dictionary, *Webster's Third*, the first edition of the *American Heritage Dictionary* was deliberately marketed as the choice of squares and fogeys.

A print advertisement for the new dictionary showed a hippie teenager and said, "He doesn't like your politics; why should he like your dictionary?" This tone of square-jawed resistance to the vulgarizing pull of popular culture provoked jeers in some quarters. *American Heritage* was

nicknamed the "Goldwater dictionary," and when that seemed too generous, linguists took to calling it the "McCarthy dictionary."

What, exactly, would make a dictionary conservative? Does it define *welfare state* as "government that fails to improve the welfare of dependants while curtailing the economic freedom of others"? Not exactly. Only in its preferences concerning a relatively small set of disputed usages could a major commercial dictionary be notably conservative. To ensure that *American Heritage* be notable in just this manner, the publisher established a usage panel of distinguished writers and scholars, including several veterans of the controversy over *Webster's Third*: Jacques Barzun, Dwight Macdonald, and Wilson Follett. The group was prestigious and old. Of 95 members, the scholar Patrick Kilburn discovered, only six were under 50, while a full 28 had been born in the 19th century.

In one very specific way, *American Heritage* may have seemed *unconservative*. It was the first American dictionary to publish an entry for the F-word. Opinions differ on the ideological color of this decision, however. If by

*David Skinner's account of the Webster's Third controversy, The Story of Ain't: America, Its Language, and the Most Controversial Dictionary Ever Published, is published this month.*

“conservative” one means “conscious of linguistic history in all its variety,” then dropping the F-bomb into the encyclopedic pages of a family-friendly dictionary was perfectly righteous.

Though the usage panel has endured as a symbol of linguistic authority, its role in the making of the dictionary is necessarily minor relative to the work of the actual lexicographers. Where its influence is sometimes visible is in the dictionary’s excellent usage notes, which often report what percentage of the panel’s members approve of a given usage and also whether that percentage has been stable in the last four decades.

Consider the traditionalist distinction between *comprise* and *compose*, best remembered in the formula “the whole comprises the parts; the parts compose the whole.” According to the new edition, in the 1960s, 53 percent of the panel objected to *The union is comprised of fifty states* while only 35 percent objected as late as 1996.

Recently, I came across a list of comments by early usage panelists that give the flavor of their hidden editorializing, often solicited in reaction to example sentences such as “He invited Mary and myself” and “Neither Mr. Jones nor myself is in favor of this.” Red Smith, the sportswriter, said *myself* in the first example was “unforgivable,” adding that “*myself* is the refuge of idiots taught early that *me* is a dirty word.”

Katherine Anne Porter is quoted more than once in these comments, which I found in the papers of Dwight Macdonald at the Yale University Library. As in her austere correct prose, Porter preferred to take a hard line. She called it a “vicious, ignorant misuse” to employ *nauseous* (instead of *nauseated*) to mean “feeling nausea,” and 88 percent of the panel agreed with her. Three decades later, the majority was a minority, as 61 percent of the usage panel approved of this “misuse” in the sentence “Roller coasters make me nauseous.” The “conservative” dictionary thus observes that “the word presents a classic example of a word whose traditional, ‘correct’ usage is being supplanted by a newer, ‘incorrect’ one.”

If there was a “liberal” dictionary, it was *Webster’s Third*. Its editor was openly disdainful about “the rules” of language, and his dictionary seemed strangely cozy with the loose argot of popular culture, from *beatnik* and *hipster* to the language of Polly Adler, Mickey Spillane, and other purveyors of what might be called sidemouth English. The response to its publication was thunderous. The *New York Times* called on Merriam to take back the 13-pound *Webster’s Third* and start over. In the *Atlantic*, Wilson Follett called the dic-



Dwight Macdonald, ca. 1950

tionary “a very great calamity,” and its editors “saboteurs.” In the *New Yorker*, Dwight Macdonald compared *Webster’s Third* to the end of civilization. James Parton and *American Heritage*, which had been looking to buy a controlling interest in Merriam, tried to use the controversy as an excuse for taking over.

As a result of this fracas, a line was drawn—or, rather, redrawn and marked with barbed wire—between formal and informal English, suggesting one had to choose sides. The critics of *Webster’s Third* promoted a vision of linguistic propriety that was at odds with the science of linguistics, which for decades had been saying that correctness is relative to (among other things) race, class, region, educational level, and context. But it was also at odds with much of what had been gleaned about literary and journalistic

practice since the 1920s and ’30s, as *Time*, H. L. Mencken, Walter Winchell, William Faulkner, and Zora Neale Hurston exploited the rhetorical possibilities of neologism, dialect, jargon, slang, and hyperbole.

Reading in this period with an eye to grammar and usage standards, it is easy to see a whole world of Anglophonic formality slipping away—as Franklin D. Roosevelt adopted a chummy colloquial tone in his fireside chats, exhorting his “friends” to do their part in the Great Depression. But where and when did the new informality stop?

Nowadays, when corporate suits might use bits of prison slang, and children’s books play games with the F-word, tracking the line that separates high from low English can put a crick in your neck. And today the usage panel is personified not by some Victorian-inspired grammar snob but by its new chairman, Steven Pinker, a well-known cognitive scientist who is not at odds with linguistics.

In the opening pages of his landmark work, *The Language Instinct* (1995), Pinker cites the authority not of Fowler’s *Modern Usage* or Strunk and White, but the observations of Charles Darwin. He disparages the groping attempts of humanists to characterize language as some kind of civilizational achievement, when it is clearly better described as an evolutionary distinction of all human beings. *The Language Instinct* is an enlightening book in many ways, but it places Pinker far from those dear hearts of the old usage panel like Katherine Anne Porter, who, when presented with a set of nouns as qualifiers, including the phrase “beatnik-type beard,” dismissed the lot as “dull lazy shortcuts,” and said, “-type used in this way is vulgar and stupid.”

Of course, one might want to accept language as both evolutionary development and cultural achievement, but it’s just not done. There’s the scientific view and the aesthetic view, and that’s it.

In his introduction to the fifth edition of the *American Heritage Dictionary*, Pinker goes out of his way to make clear that this volume is no *arbiter elegantiarum* of preferred English. “If,”

BETTMANN / CORBIS

he writes, “you are using this dictionary as the official rulebook of English meaning and pronunciation, prepare for a disappointment.”

The only relevant criterion for inclusion in the dictionary, he adds, is the actual record of usage. What one finds in a dictionary is, above all, evidence gathered to describe how other people—people just as wise or as ignorant as you—use the language. There’s no higher authority than that. Says Pinker with remarkable bluntness: “There’s no one in charge; the lunatics are running the asylum.”

Now, the usual way to parse this discussion is by reference to two words: prescriptivist and descriptivist. One names a viewpoint of correctness, the other a viewpoint of observation. It would be prescriptivist to insist that a dictionary lay down the law on the difference between *imply* and *infer*; it would be descriptivist to notice that Milton and others have ignored this distinction. And from here it is a short step to satire.

The prescriptivist, one might say, is a self-appointed grammarian going into apoplectic shock any time someone uses the sentence modifier *hopefully*; calling the love of his life, he says, “Hello, it is I.” The descriptivist is a professional linguist so blasé about correctness that, for any disputed usage, he has a drawerful of evidence supporting the more doubtful alternative. At his own wedding, he says, “Me do.”

These are caricatures, of course, and can be very limiting. What self-respecting writer or editor does not want to know the full record of usage for a disputed term? And where is the user of language who is so agnostic that he doesn’t hope his own speech and prose take the best of available positions on disputed usages? *Prescriptivist* and *descriptivist* are useful, especially as directionals, like *left* and *right*. But they tend to be overused (as *left* and *right* are) to describe some monolithic, lockstep ideology that exists nowhere so perfectly as in the fevered imaginings of its enemies.

And there is by now something a tad lazy about the whole routine. In the midst of a recent book review,

the *New Yorker*’s Joan Acocella read from the old script about prescriptivists and descriptivists as she observed that the *American Heritage Dictionary* seems increasingly ambivalent toward its own position as the prescriptivist dictionary. It was certainly a fair observation, in light of Pinker’s recent appointment as head of the usage panel and the tone of his introductory essay. And it might have provided a useful way of approaching a broader reality: Linguists have made serious progress in bringing around others to their



Katherine Anne Porter, 1947

point of view. In the very magazine you are holding, for instance, which also publishes John Simon, one of the most prescriptivist writers around, former literary editor Joseph Bottum (no softy on matters of usage himself) recently doubted that “America had enough unrepentant prescriptivists left to fill a Volkswagen.” And the usage panel is not as severe or as old as it once was. Some years back, *American Heritage* went out of its way to recruit a class of younger members, including myself or, better yet, me. (Sorry, Red.)

But two things happened in Acocella’s essay that put her in the crosshairs of linguistic critics. Quoting from one of the introductory essays in the *American Heritage Dictionary*, she misread a reference to “the rules” of language. The essay was by John Rickford, who was not referring to such rules as your

English teacher gave you for *lay* and *lie*, but to the broader parameters and patterns that make up any language. Acocella innocently cited his words as evidence of a prescriptivist bent at the heart of the *American Heritage Dictionary*, then compounded her error by offering readers the usual sermon about the good but fallible prescriptivists and their long crusade against the self-righteous descriptivists, provoking *Language Log* contributor Ben Zimmer to accuse her of arguing with straw men.

This was light stuff, however, compared with what happened next. Steven Pinker himself took Acocella to task in *Slate*, describing her accurately but incompletely as the *New Yorker*’s dance critic while making clear that he, Pinker, was speaking for science. (As it happens, Acocella is also a fine literary essayist and the author of a superb book on Willa Cather.) And while he was at it, Pinker laid down a rather heavy complaint against the *New Yorker*. What it had shown in Acocella’s essay was far worse than the usual prejudices about proper English, he declared; it had affronted science, suggesting scientists (linguists, that is) were to be paid no more attention than any other group in the public square.

Scientific claims were also a major part of the debate over *Webster’s Third*, whose editor Philip Gove foreshadowed Pinker’s “lunacy” when he said his dictionary would “have no traffic with . . . artificial notions of correctness.” And, indeed, there is good scientific method behind the simple (and increasingly sophisticated) collection of evidence that fortifies lexicography with real-world information about how language is actually used, as opposed to how some might prefer it be used.

But if there is something inadequate about dividing language watchers into prescriptivists and descriptivists, sorting them into scientists and dance critics seems even worse—especially if the scientists are to be given a special dispensation just for being scientists. And yet, in watching this debate play out, I am reminded of the aesthetic pleasures of language smartly used and how few of us are immune to the most spirited prejudices of our parties. ♦

# Reason for Faith

*The case for the peaceful coexistence of science and religion.* BY JOSEPH BOTTUM

Pleonasm and pomposity, those twins of purple prose, define a certain kind of religious writing. A certain kind of holiday writing, for that matter—read a typical newspaper column about Thanksgiving, if you need another example—and any number of political orations. Historians, scientists, social workers—even poets, when called upon for public occasions: They all seem incapable of not turning, say, a graduation speech into a gooey mess of unctious and uplift.

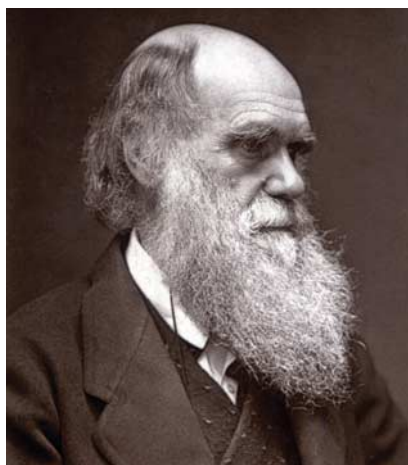
The literary model for all these hearty exhortations is, of course, the sermon—which is why, although every discipline sometimes surrenders to the impulse, religious works seem especially prone to pulpit prose. And if you want to understand what Jonathan Sacks is attempting in his latest volume, this is it: He's trying to write a popular religious book that avoids this typical pitfall of popular religious books. He's trying to sermonize without the sermon.

Not that he always succeeds; this book has its occasional bits of the homiletic: "The message of Exodus to Deuteronomy," Sacks writes with a preacher's pen, "can be summed up simply. It took a few days for Moses to take the Israelites out of Egypt. It took forty years to take Egypt out of the Israelites. The road to freedom is long and hard, and you cannot force the pace."

But the *attempt* to avoid that tone, to write a calm and measured account of the sheer reasonableness of faith—that's a very Anglican thing to do. And though Sacks is Jewish, the chief rabbi of Great Britain, he demonstrates in *The Great Partnership* that he belongs to a tradition of English apologetics that runs through

## The Great Partnership

*Science, Religion, and the Search for Meaning*  
by Jonathan Sacks  
Schocken, 384 pp., \$28.95



Charles Darwin, ca. 1874

Christian writers from Bishop Butler to William Paley. From Thomas More to Ronald Knox, as well, if you're willing to extend the line beyond its Anglican limits. And like his predecessors, Rabbi Sacks is a learned, humane, and temperate man; a genuinely wise figure. He's also dull. This is a worthy book, but only if you give the word a certain weary and cynical spin when you pronounce it.

*The Great Partnership* has its genuinely interesting moments, as when Sacks describes crisscrossing America in 1968, riding Greyhound buses from city to city—just to meet the nation's rabbis and ask them big questions. You can picture the scene: the bemused rabbis, with the extremely serious young Englishman suddenly appearing at the door to demand Jewish answers to the philosophical unprovability of God, the theological explanation of the use of randomness in science, the religious

implications of the Thirty Years' War.

Still, American readers interested in the fundamental theopolitical problem of the foundation of culture, or the relations of science and faith, will find some of the book tedious. Smart as its scholars and thinkers can be, Europe remains far behind the United States in the analysis of church-state relations, the question of religion, and the intellectual appropriation of science. Unless, of course, you're one of the people who thinks that religion should simply be abolished by the state: pressed into public invisibility until it finally—*finally*—withers and dies. *Écrasez l'infâme*, as Voltaire once demanded.

Mostly, it's to oppose Voltaire's contemporary children that Sacks has written *The Great Partnership*. "The story I am about to tell," he explains, "concerns the human mind's ability to do two separate things. One is to break things down into their constituent parts and see how they mesh and interact. The other is to join things together so that they tell a story, and to join people together so that they form relationships." The distinction is a little less clean than he makes it—meshing and interacting is a kind of relationship, after all—but we all understand the basic difference, and Sacks offers us science as the mode of the first activity and religion as the mode of the second.

Throughout Sacks's attempt to reconcile science and religion, the target is the New Atheists: Harris, Hitchens, and the rest, especially Richard Dawkins. In his moderate soul, Sacks is offended by the immoderation of contemporary atheism, and he is willing to set aside his usual meliorism to savage them for their crass thoughts and vulgar analyses.

The first portion of *The Great Partnership* argues that science and religion are, in fact, too different to contradict each other: They can't fight a battle, he insists, if they can't even agree on a battlefield. Athens and Jerusalem are the poles of Sacks's geography, and he uses them as images again and again. Thus, for example, he suggests that the philosophy, and even the grammar, of the ancient Greeks gave birth to science; the spirituality, and even the alphabet, of the ancient Hebrews

Joseph Bottum is a contributing editor to THE WEEKLY STANDARD.

gave birth to monotheistic religion.

If that's a little simplistic, the basic idea is clear: Science aims at chopping things up to learn how they work, while religion aims at joining them together to learn what they mean. And we need both, Sacks insists, if we are to locate ourselves in the universe. When one side is suppressed, as the political culture of Europe is determined to suppress religion, the result is our lostness: We wander without meaning in a landscape without horizons.

In the last portions of the book, Sacks undertakes a rapid survey of the problems of evolution, the existence of evil, and the damage of religious fanaticism. Religions need to be open and accountable, he insists.

When they develop into closed, totalizing systems and sectarian modes of community, when they place great weight on the afterlife or divine intervention into history, expecting the end of time in the midst of time, then they can become profoundly dangerous, for there is nothing to check their descent into fantasy, paranoia, and violence.

What's interesting in all this is not Sacks's particular analyses, all of which are fairly typical of modern apologetics, but the clear indication, lurking just beneath the unruffled prose, that the author is growing worried. The moderate Jewish form of the Anglicanism in which he has lived all his life—the sense that we needn't worry too much, for the center will hold no matter how wide the gyre around it opens—no longer feels existentially safe. From that young man traveling around the United States on a bus to learn the content of his rabbinical faith, Jonathan Sacks has lived long enough to see himself and his well-centered faith redefined as the radical fringe in Europe.

One wishes an actual Anglican in authority—the Archbishop of Canterbury, say—had as much sense. But for all of them, Christian and Jew alike, their calm and very British sense of being reasonable must feel increasingly threatened. A curious time we live in, when a tone of moderation and sensible balance is forced to feel itself the lonely voice of a prophet, crying in the wilderness. ♦

FAIRCHILD PHOTO SERVICE / NEWS.COM

BCA

# Installed for Good

*The improvisational art of Yayoi Kusama.*

BY JAMES GARDNER



*Yayoi Kusama at the Whitney exhibition, 2012*

**T**hough every generation dutifully brings forth its crop of visual artists, some harvests are more blessed and bounteous than others. And while few have been as sparse as those of recent date, we can all take some consolation in the Whitney's retrospective of Yayoi Kusama. Any age that engendered her cannot be all bad.

This 83-year-old artist is highly eclectic, not only in her choice of media, but also in her artistic aims in each of those media. She is a master of painting and installation, of sculpture, performance, and conceptualism. Everything from Greenbergian formalism to minimalism, from feminism

and pop art to surrealism and the hippie counterculture comes together to form the chaos of her brilliant career.

It is part of the mystery of Kusama that she is able to indulge these mutually incompatible goals and to succeed memorably in all of them. As a painter she is—especially in classic works like her white dot paintings of 1960—a committed formalist. In her installations, she reveals herself to be (if I may coin a term) a committed experientialist: She aspires, through the creation of environments, to awaken in her viewers a spiritualized state that transcends form. And in her neo-Dada antics of the 1960s—with all the requisite nudity of such affairs—she contentedly revels in the most impish mischief.

Given that Kusama is not American, but Japanese—though she lived

**Yayoi Kusama**  
Whitney Museum of American Art  
New York  
Through September 30

*James Gardner recently translated Vida's Christiad (I Tatti Renaissance Library).*

here from 1957 to 1973—one has every right to wonder what she is doing at the Whitney in the first place (this museum, after all, was incorporated to display the art of Americans). The point, I think, is valuable. And yet, such is my surprise at seeing good contemporary art of any stripe at the Whitney that I cannot press the point with much enthusiasm.

Nor would I complain too loudly that, as exhibitions go, this one could have been far better. Its wide-ranging display of nearly 300 works of art and documentation was too scattered for my liking. It may be that such an approach conveys the artist's multifarious doings more effectively than a tidy and focused exhibition. But in a show that ranges over six decades, the display looked a little ad hoc, and the garage-like vastness of the Whitney's fourth-floor galleries didn't help. Nor did it help that the exhibition began and ended with two bodies of work, represented in unnecessary abundance, that fall far short of Kusama at her best: the ink and pastel works on paper that she made in Japan in the 1950s, when she was still struggling to find her way, and her gaudily representational paintings from the past decade.

Yayoi Kusama describes her installations as "making worlds," and that is singularly apt. Unlike most installations, which sit contentedly on the floor or in the corner of a gallery, those of Kusama are typically contained in a large wooden box fabricated by carpenters to roughly the size of a trailer. Such is the case with "Fireflies on the Water" (2002). Its full effect can be grasped only when you enter the box alone and shut the door behind you. The sense of enclosure and ensuing isolation is crucial. Standing on a narrow plank, you perceive a thin layer of water beneath your feet, while all around you and above you tiny lights expand to infinity through the mirrors that cover the walls and ceiling.

I am aware of few works of art that capture so effectively that strangeness and wonder and beauty of dreams, that sense of the mind in a state of giddy imbalance as it turns radically in upon itself. There is visual beauty in this makeshift firmament of glittering lights, but its deeper beauty is experiential: It consists in the environment and the forms working in concert to produce elusive moods that overpower the perceptual responses of traditional art.



*'Arm Chair' (1963)*

The other important component of her production is her paintings. Roughly speaking, Kusama is, in the best part of her career, an abstract painter, and a very accomplished one. Starting in the late 1950s, she conceived her "infinity" paintings as a sequence of white monochromes (not unlike those of Robert Rauschenberg) that responded to the aesthetic debates of the time by seeking to reduce painting to pure surface. Even today, when such ambitions have lost their urgency or appeal, we can admire the dexterity and taste with which Kusama has achieved this goal. She has filled the surface of these works with thousands of tiny repetitive gestures that are far less gestural than what most mainstream artists, generally male and

American, were making at the time.

Their flirtation with pure pattern would reach fruition only a decade later, in those candy-colored, ditzily lovely dot paintings for which Kusama is best known. Here the forms are often similar to those of her earlier abstractions, but textured surface has been replaced by a flat, almost industrialized smoothness. In this respect, the artist anticipates what Takashi Murakami, one of Japan's most important contemporary artists, calls Superflat, a distinctly Japanese conflation of high and low culture.

This quality is never as polemical in Kusama's work as in Murakami's, but both artists share a delight in cuteness, bright colors, and elementary forms. A masterpiece of this sort is her "Yellow Trees" (1994), three continuous panels overrun with snaking roots whose weight and perspectival depth arise from the exacting use of yellow dots of varying size. Outlined in inky black pigment, they form a sinister but also haunting composition of maximalist ambitions.

A third component of Kusama's art is sculpture. As with the work of Lee Bontecou and Eva Hesse, her various "Accumulations" from the 1960s exhibit—within their own highly original idiom—a similar preoccupation with such feminist-friendly materials as sewn fabrics (including garments) that have been treated and transformed into bizarre, surrealist-inspired form. A typical example is her "Arm Chair" (1963), in which the furniture in question has been overrun with podlike, leguminous accretions that thoroughly upend the object's original function.

Even if you are not won over by Yayoi Kusama's impeccable taste and intelligence, the fact that she managed to anticipate, by decades, some of the most dominant trends in contemporary art would make her eminently worthy of attention. ♦

TOM POWELL / YAYOI KUSAMA / WHITNEY MUSEUM OF AMERICAN ART

# Einstein Bageled

*The relatively cutthroat world of intellectual theft.*

BY JOE QUEENAN

Americans, particularly older Americans, continue to ignore the devastating effect that hackers can exert on one's life. No matter how often they are warned to be vigilant about computer security, to erect firewalls to ensure that hackers do not infiltrate their PCs and steal credit card numbers, most folks blithely ignore these warnings and routinely go about their business. The results can be ruinous.

I know, because that's exactly what happened to me. But it doesn't involve credit cards or bank account numbers; it involves the far more serious issue of intellectual property theft.

It started like this: You know how you sometimes come up with a great idea that you're sure nobody else could have possibly thought of, like using homeless people as Wi-Fi hotspots or electing Al Franken to the Senate? And then somebody gets there ahead of you? That's what happened to me with CERN, the European Organization for Nuclear Research, based in Geneva.

Last year, as many of you will recall, there was a big hubbub about Albert Einstein's special theory of relativity. This erupted after a test run by CERN, using a device called the Icarus Liquid Argon Time Projection Chamber, proved that neutrinos could travel faster than the speed of light. This meant that Einstein's pivotal theory was wrong. Everybody in the press made a big deal about this, ridiculing Einstein left and right in the way that crass, snarky journalists so often will. Nature abhors a vacuum? Says who?  $E=mc^2$ ? My ass.

This glibness infuriated me, because I have been a fan of Einstein

since my junior year in high school, when I did an oral report on his *On the Motion of Small Particles Suspended in a Stationary Liquid, as Required by the Molecular-Kinetic Theory of Heat*, and supersmart Carol Petrowski agreed to dance with me. And if Einstein's theory about the speed of light was wrong, it meant that everything we had believed about the universe for the past century was wrong.

The thing was: I knew all along that Einstein was right. I knew he was right because I have a scaled-down version of the Icarus Liquid Argon Time Projection Chamber in my basement. I bought it at a yard sale last year when the Lawrence Livermore National Laboratory was unloading some old equipment at their annual rummage sale. Icarus Liquid Argon Time Projection Chambers aren't anywhere near as pricey as you would think—they're sort of like iPods, where the manufacturer brings out a new model every year, so the discontinued models go fairly cheap.

To make a long story short, I set aside a weekend in January, re-ran the neutrino experiment down in the basement, and found that CERN's data were all wrong. Without getting too technical about this, let's just say that the knuckleheads in Switzerland miscalculated the vector of hydrotopic retro-fillibration—they were off by about an inch—and failed to allow for the impact of transmorphéal dysconfluence on the homeognomic panels that fuel the thalidomide crystals.

It was the kind of mistake you wouldn't expect from the dumbest high school kid. The most important thing was that my work proved that Einstein, my hero, was right after all. Neutrinos cannot travel faster than the speed of light. Like, duh.

Here's where the story gets ugly. After I ran my experiment, I never got around to compiling my data and publishing my results because I came down with severe bronchitis, tore my meniscus, and had a few other personal issues to deal with. Well, a few months ago, CERN beat me to the punch with a report that last year's experiment was a dud, that they'd run the test again, and it proved that Einstein was correct. Great news, right? Except that when I got hold of their report, I found language that sounded suspiciously similar to the wording in my report stored on my computer.

No, not similar: identical. Things like: "In the earlier study, technicians miscalculated the vector of hydrotopic retro-fillibration—they were off by about an inch—and failed to allow for the impact of transmorphéal dysconfluence on the homeognomic panels that fuel the thalidomide crystals."

You don't have to be Albert Einstein to figure out what had happened here. Somebody hacked into my laptop, shanghaied my data, re-ran the test, and proved that last year's experiment was wrong. How could they know I was working on the project? Somebody at the Livermore laboratory must have spread the word that a hobbyist in Tarrytown, New York, had just snapped up a gently used Icarus Liquid Argon Time Projection Chamber at their annual rummage sale. There aren't that many of them around. Also, I talk about Einstein's special theory of relativity a lot in my local diner, so anyone within earshot could have ripped me off.

Some people may say I am being paranoid here, but I'm not. *Because the neutrino incident wasn't an isolated case.* Not long ago, physicists announced that they had finally located the long sought-after Higgs Boson, a particle that endows other particles with mass. Big whoop. The fact is, I've got a dozen Higgs Bosons sitting in a bird feeder right outside my kitchen window. I was literally on the point of publishing my report on them when the scientists beat me to the punch and released their results.

And where were those scientists from? The European Organization for Nuclear Research. That's right, CERN. Coincidence, you say? I think not. ♦

*Joe Queenan is the author, most recently, of Closing Time: A Memoir.*

**"Late on Tuesday, some observers questioned why approximately two minutes were missing from the [Romney] videos posted by Mother Jones."**

**—New York Times, September 19, 2012**

**PARODY**

SEPTEMBER 25, 2012

ONE DOLLAR CHEAP

# TWO-MINUTE GAP IN VIDEO RECOVERED; ROMNEY FLAILS

*'Chicken or fish?' asks an uncertain candidate*

By JEFF ZELENY

WASHINGTON—Mitt Romney is about to suffer a potentially fatal knock-out blow to his candidacy in the form of a two-minute video clip. For the last week and a half, the Romney campaign has had to address comments the GOP contender made at a fundraiser, in which Mr. Romney essentially called 47 percent of the population deadbeats for not paying taxes. Meanwhile, his conservative defenders speculated that the video obtained by Mother Jones was tampered with to reflect poorly on the Republican nominee. But those conservative hopes are now being shattered.

The New York Times has just obtained (through the help of a grandson of Walter Mondale) the missing two minutes of footage. What we found was unsettling: Prior to his 47 percent gaffe, Mr. Romney is seen sitting at a table listening to a server explain the night's dinner options, either a chicken paillard or a trout amandine. Romney nods attentively and then asks the server to repeat the choices. He then looks down at his menu where the entrees are printed. Mr. Romney tells the patient server, "I'll start with the frisée salad and for dessert I'll have the cheesecake and for the main course..." The candidate's voice trails off in uncertainty. After an uncom-



Mike Matus

A waiter at the fundraiser walks away from Mitt Romney's table after the GOP presidential nominee finally decides to go with the Perrier over tap water.

fortable pause, Mr. Romney decides to go with the fish.

"Frankly, it's shocking," said Obama campaign chief David Axelrod. "This shows the man is unfit to be president. You have got to be decisive. President Obama never lingers, provided the menu makes clear the food is locally sourced and organic." Others were concerned about Mr. Romney's ordering the fish. "Did

the governor even know if the trout is endangered?" asked MSNBC host Rachel Maddow. "Personally, I cannot see how he doesn't always go with the chicken," said White House veteran David Gergen. "There's nothing tastier to me than an overbaked breast of chicken, no salt, no pepper, served on a bed of plain, white

*Continued on Page A6*

## Chicago Union's Karen Lewis Continues Demanding Answers

*'Who switched out my Sweet & Low for Equal?!'*



the weekly  
**Standard**

OCTOBER 1, 2012